TRANSPORTATION 2030 PLAN

FINAL ENVIRONMENTAL IMPACT REPORT

STATE CLEARINGHOUSE NO. 2004022131

Prepared for

Metropolitan Transportation Commission

by

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In association with

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February 2005

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1 Introduction

The Metropolitan Transportation Commission (MTC) has prepared this Final Environmental Impact Report (FEIR) for consideration of the Transportation 2030 Plan. The proposed Transportation 2030 Plan represents the transportation policy and action statement of the MTC for how to approach the region's transportation needs over the next 25 years. It includes a set of future transportation projects and programs that can be implemented with available funding and identifies projects that could be considered if new funding is obtained.

This Final EIR, which has been prepared in compliance with the California Environmental Quality Act (CEQA), responds to comments addressing the Draft EIR, published October 2004. The Final EIR is intended to aid MTC as it considers adoption of the Transportation 2030 Plan. This Response Addendum, combined with the Draft EIR, constitutes the Final EIR on the project. This Final EIR amends and incorporates by reference the Draft EIR, which is available as a separately bound document from MTC.

The primary purpose of this Final EIR is to revise and refine the environmental analysis and mitigation measures in the Draft EIR in response to written and oral comments and recommendations received during the 56-day public review period. This review period of the Draft EIR (State Clearinghouse No. 2004022131) was from November 12, 2004 through January 7, 2005. A list of the individuals, agencies, and organizations that commented on the Draft EIR and copies of the written and oral comments are included in Section 3 of this document. Responses to comments are included in Section 4. Some commenters raised points relating to both the Transportation 2030 Plan and the Draft EIR. This Final EIR responds to comments on the latter. Comments on the Plan will be addressed separately by MTC.

The Final EIR is available at the MTC offices located at 101 Eighth Street, Oakland, CA 94607.

PROJECT AND ALTERNATIVES DESCRIPTION

This EIR evaluates the impacts of the proposed Transportation 2030 Plan and five transportation alternatives. By varying the overall composition of the highway, roadway, transit, and other projects evaluated, the Proposed Project and each alternative offer a different approach to carrying out the goals of the Transportation 2030 Plan. The TRANSDEF Smart Growth Alternative goes further by making different assumptions about future land use patterns and implementing pricing strategies for the region. A summary of the Proposed Project and the alternatives is provided below.

PROPOSED PROJECT – TRANSPORTATION 2030 PLAN

A detailed description of the Transportation 2030 Plan is included in Chapter 1.2 of the Draft EIR. The Transportation 2030 Plan represents a strategic investment plan to improve system performance for Bay Area travelers over the next 25 years and includes a set of highway, transit, local roadway, bicycle, and pedestrian projects identified through regional and local

transportation planning processes. Key investments would focus on adequate maintenance, system efficiency and operations, and strategic expansion.

Similar to past long-range plans, the Transportation 2030 Plan is made up of two separate elements. The "financially constrained" element includes those transportation projects that would be funded through revenues projected to be reasonably available over the 25-year horizon of the plan. The more comprehensive "vision" element would identify illustrative transportation projects that would be funded through revenue measures that may become available in the future through either legislative action or voter mandate. The projects included in the vision element are largely identified by local transportation agencies and transit districts and would be funded by revenues sources such as new or reauthorized county transportation sales taxes, a BART property tax, a AC Transit special district tax, a High Speed Rail Bond, a regional vehicle registration fee, a Sonoma Marin Area Rail Transit (SMART) district tax, or High-Occupancy/Toll (HOT) Network revenues.

The Transportation 2030 Plan includes the HOT network identified in the financially constrained Plus HOT alternative, as well as the proposed sales tax projects evaluated in the financially constrained Plus Sales Tax alternative (see below).

ALTERNATIVES

A full description of the five alternatives is in Chapter 3.1 of the Draft EIR. The alternatives are as follows:

- **No Project Alternative** (**Alternative 1**) – The No Project alternative, required by CEQA, addresses the effects of <u>not</u> implementing the Transportation 2030 Plan. This alternative includes a set of highway, transit, local roadway, bicycle, and pedestrian projects that are in advanced planning stages and slated to go forward since they already have full funding commitments. These projects are: (1) included in the federally required Transportation Improvement Program (TIP), a funding program for the next three years of project and programs in the Bay Area; (2) not yet in the TIP but are fully funded county transportation sales projects authorized by voters in Alameda, Contra Costa, Santa Clara, San Mateo, and San Francisco counties; and (3) not yet in the TIP but fully funded through the Regional Measure 2 Toll Bridge Program that was approved by Bay Area voters in March 2003. These projects are collectively referred to as "Committed Projects."
- **Financially Constrained Transportation 2030 Plan Alternative** (**Alternative 2**) – This alternative consists of only the set of transportation projects and programs that would be funded through revenues projected to be reasonably available over the 25-year horizon of the Transportation 2030 Plan. This set of projects is known as the financially constrained element of the Plan. It does not include projects identified in the vision element of the proposed Transportation 2030 Plan. The key financial assumption governing the financially constrained element of the Plan is that existing sources of federal, state, or regional revenues are assumed to continue to 2030 with the exception of county transportation sales tax measures which, by law, must sunset. No new revenue sources that would require voter or legislative approval are assumed. Both "Committed" and "New Commitment" projects are included in this alternative.

- **Financially Constrained Transportation 2030 Plan Plus Sales Tax Plan Alternative (Alternative 3)** – This alternative includes the financially constrained element of the proposed Transportation 2030 Plan plus additional transportation projects and programs identified in potential new or reauthorized county transportation sales tax measures proposed for San Mateo, Contra Costa, Marin, Solano and Sonoma counties (these projects are currently part of the vision element of the Proposed Project). These additional transportation projects have been defined through the respective county planning and public involvement processes.
- **Financially Constrained Transportation 2030 Plan Plus High-Occupancy/Toll (HOT) Network Alternative (Alternative 4)** – This alternative represents the financially constrained element plus the creation of a network of HOT lanes in the region (these projects are also currently part of the vision element of the Proposed Project). In this alternative, the Bay Area's existing High-Occupancy-Vehicle (HOV) lane system of 300 freeway lane miles, which saves time for vehicles with two or more occupants, would be converted to HOT lanes. Carpools, vanpools, and transit vehicles would continue to have free passage in the HOT lanes, but other motorists would pay a fee to use them. The HOT lanes would operate with no tolls for vehicles containing three or more persons. The HOT network would consist of 800 miles of HOT lanes on the Bay Area's freeways, an additional 500 freeway lane miles over existing conditions (2000).
- **TRANSDEF Smart Growth Alternative (Alternative 5)** – This alternative is supplied by TRANSDEF, a transportation advocacy organization, according to the Settlement Agreement and Release entered into by TRANSDEF, Communities for Better Environment (CBE), Bay Area Air Quality Management District, and MTC in March 2004. Its purpose is to test the effectiveness of a planning strategy of accommodating regional growth by limiting roadway capacity and directing more potential growth into infill and transit-supportive areas, avoiding greenfield development, and implementing pricing strategies to make driving more expensive and transit more attractive. Therefore, this alternative includes a different mix of projects and programs, as well as a different set of land use distribution and pricing assumptions, relative to the Proposed Project and other alternatives.

ORGANIZATION OF THE FINAL EIR

The remainder of this document is organized as follows:

Section 2

- Lists revisions to the Draft EIR by topic, in the same order as the Draft EIR.

Section 3

- Lists all agencies, organizations, and persons from whom comments on the Draft EIR were received; and reproduces comment letters and numbers the comments in the left-hand margin.

Section 4

- Provides responses to comments, numbered according to the comment letters in Section 3.

Appendices

A. Findings, Facts in Support of Findings

B. Statement of Overriding Considerations

C. Mitigation Monitoring Program

D. MTC Resolution 3680 certifying the EIR on the Transportation 2030 Plan

2 Revisions to the Draft EIR

This section includes the revisions to the Draft EIR. These revisions have been made in response to comments or based on MTC staff and consultant review. The revisions appear here in the order they appear in the Draft EIR. Text additions are noted in underline and text deletions appear in ~~strikeout~~.

MTC has refined the Draft Transportation 2030 Plan based upon agency and public comments. MTC Resolution 3681 adopts the Transportation 2030 Plan, and details the major and minor revisions to the Draft Transportation 2030 Plan. The changes to the Transportation 2030 Plan as described in MTC Resolution 3681 do not alter the conclusions presented in the Draft EIR regarding significant environmental impacts or mitigation measures.

MODIFY EXECUTIVE SUMMARY AS FOLLOWS:

Alternatives, page ES-5, paragraph 2, sentence 4:

The HOT lanes would operate with no tolls for vehicles containing three or more persons.

MODIFY CHAPTER 1: INTRODUCTION AND PROJECT DESCRIPTION AS FOLLOWS:

Figure 1.2-6, page 1.2-11:

The North Bay East-West corridor is extended east to the Solano/San Joaquin county line, as shown on the following page.

MODIFY CHAPTER 2.3: LAND USE AS FOLLOWS:

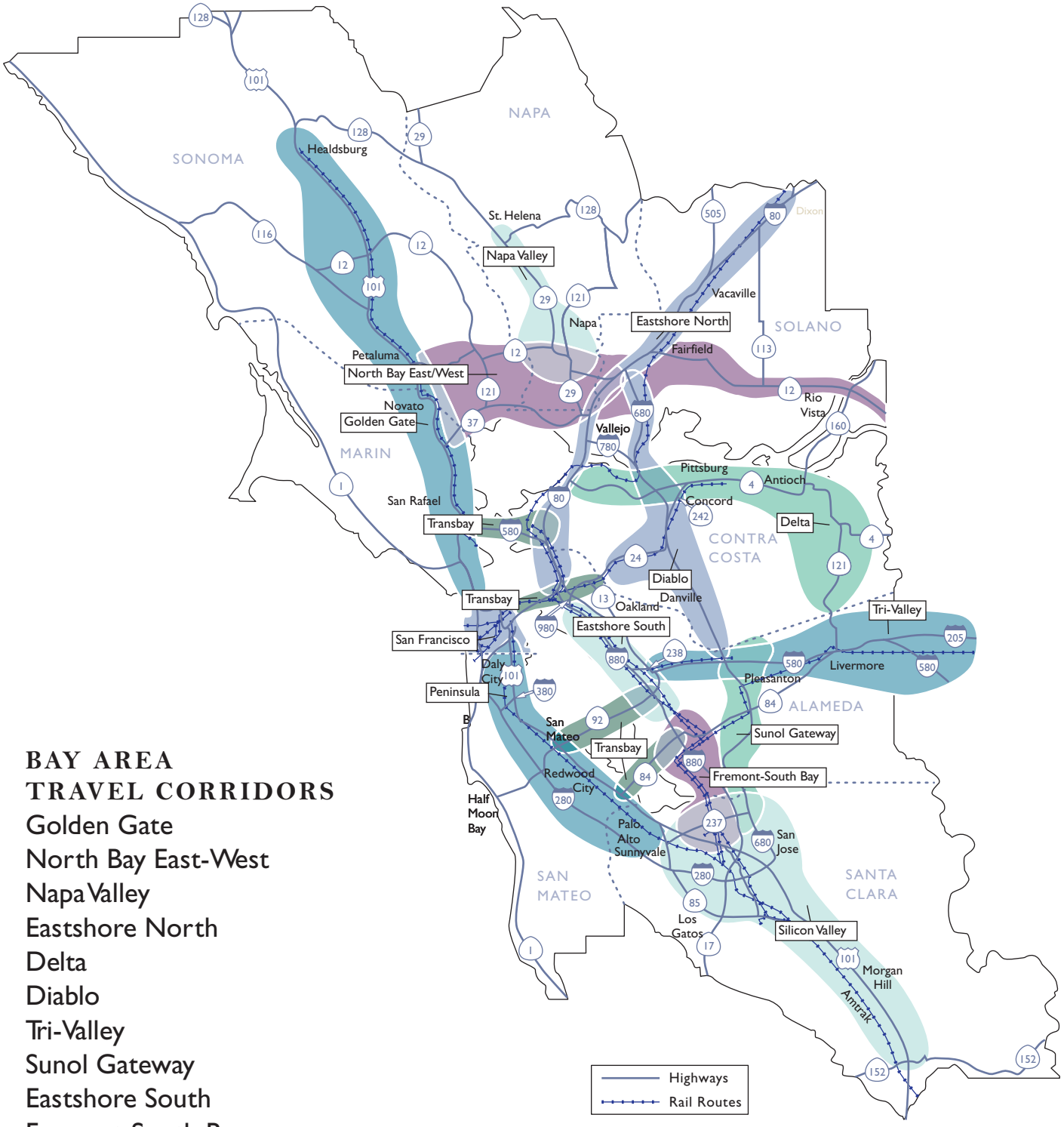
Physical Setting: Land Use Patterns, page 2.3-1, paragraph 1, sentence 1:

Since World War II, the San Francisco Bay Area has grown from a primarily agricultural region with one major city (San Francisco) to an urbanized region with multiple centers (San Francisco, Oakland, Berkeley, and Alameda) and employment opportunities (agriculture, industry, and business). The San Fransisco Bay Area is today the fifth most (Census 2000) populous metropolitan region in the United States.

Physical Setting: Williamson Act Lands, page 2.3-15, before Table 2.3-6:

As a general rule, land can be withdrawn from Williamson Act contract only through the nine-year nonrenewal process. Immediate termination via cancellation is reserved for "extraordinary," unforeseen situations (See *Sierra Club v. City of Hayward (1961)* 28 Cal.3d 840, 852-855). Furthermore, it has been held that "cancellation is inconsistent with the purposes of the (Williamson) act if the objectives to be served by cancellation should have been predicted and served by nonrenewal at an earlier time, or if such objectives can be

Figure 1.2-6
Transportation 2030 Plan Corridors



BAY AREA TRAVEL CORRIDORS

Golden Gate
North Bay East-West
Napa Valley
Eastshore North
Delta
Diablo
Tri-Valley
Sunol Gateway
Eastshore South
Fremont-South Bay
Silicon Valley
Peninsula
San Francisco
Transbay

served by nonrenewal now" (*Sierra Club v. City of Hayward)*. Given the extended phasing and time periods involved in some of the Transportation 2030 projects, it appears potentially feasible to utilize the nonrenewal process if contract termination is necessary for implementation of the Plan.

Mitigation Measure 2.3(a), paragraph 2, page 2.3-26:

…The extent of this impact will depend on the final design of each transportation improvement and on the project-specific analysis required by CEQA to determine the importance of the farmland to be converted. Suggested mitigation measures at the project-specific level include:

- Conservation easements on land at least equal in quality and size as partial compensation for the direct loss of agricultural land;
- If a Williamson Act is terminated, the Department of Conservation recommends a ratio greater than 1:1 of land equal in quality be set aside in a conservation easement;
- Protection of farmland in the project area or elsewhere in the County through the use of less than permanent long-term restrictions on use, such as 20-year Farmland Security Zone contracts (Government Code §51296 et seq.) or 10-year Williamson Act contracts (Government Code §51200 et seq.)
- Mitigation fees that support the commercial viability of the remaining agricultural land in the project area, County, or region through a mitigation bank that invests in agricultural infrastructure, water supplies, marketing, etc; and
- Other conservation tools available from the California Department of Conservation's Division of Land Resource Protection.

Mitigation Measure 2.3(b), page 2.3-28:

Add to Mitigation Measure:

- Temporary sidewalks and other means of public access must be provided to public open spaces, especially those along the Bay.

Mitigation Measure 2.3(d), page 2.3-30:

2.3(d): MTC should encourage project sponsors through EIR comments to consider design elements in their projects that would maintain or enhance neighborhood accessibility in partnership with other locally sponsored traffic calming and alternative transportation initiatives such as paths, trails, overcrossings, and bicycle plans.

Mitigation Measure 2.3(e), page 2.3-30:

~~2.3(e): MTC shall continue to support locally sponsored traffic calming and alternative transportation initiatives such as paths, trails, overcrossings, and bicycle paths that foster and improved neighborhoods and community connections.~~

Add Table 2.3-14 (b) to page 2.3-27:

Table 2.3-14 (b): Specific Projects with Potential to Disrupt Existing Land Use

Corridor	*Project ID*
Delta	21132, 22623, 22626, 22746, 98183
Diablo	22206, 22227, 22392, 22668, 22899, 94074, 94152, 98222
Eastshore-North	22062, 22193, 22228, 22229, 22279, 22513, 22751, 22800, 94012, 98203
Eastshore-South	22042, 22226, 22605, 22728, 22756, 22779, 22981, 98999
Fremont-South	21317, 21604, 21610, 21613, 21619, 21902, 22351, 22602, 22732, 98194
Golden Gate	21101, 21206, 21892, 22205, 22231, 22239, 22271, 22282, 22724, 22729, 22805, 22898, 22986, 94644
Napa Valley	21749
North Bay East	21770, 22118, 22153, 22990
Peninsula	21185, 21713, 22017, 22084, 22106, 22162, 22164, 22171, 22353, 22419, 22655, 22871, 22885, 22945, 22965, 22967, 22975, 22983, 98130, 98133, 98147, 98196
Silicon Valley	21030, 21209, 21716, 21717, 21718, 21724, 21807, 22010, 22012, 22038, 22091, 22121, 22127, 22128, 22130, 22134, 22138, 22140, 22158, 22161, 22165, 22169, 22175, 22176, 22177, 22178, 22179, 22180, 22183, 22185, 22186, 22191, 22192, 22207, 22422, 22624, 22629, 22660, 22670, 22671, 22700, 22764, 22823, 22830, 22832, 22834, 22836, 22843, 22844, 22845, 22850, 22857, 22858, 22881, 22886, 22887, 22888, 22892, 22893, 22960, 22991, 94151, 98103, 98175
Sonoma Countywide	98139
Sunol Gateway	22897, 98140, 98154
Tri-Valley	22013, 22664, 22666, 22776, 22785

Source: MTC, 2004; Dyett & Bhatia, 2005

MODIFY CHAPTER 2.5: NOISE AS FOLLOWS:

Table 2.5-7, page 2.5-31:

The corridors in the table have been corrected to correspond with the Project IDs and Descriptions.

Table 2.5-7: Transportation Projects with Potential Noise Impacts

Project ID	*Corridor*	*Investment**	*Description*
20001	Silicon Valley	V	US 101/Bailey Ave I/C improvements
21030	Golden Gate	N	I-580/US 101 I/C impvts and new fwy-to-fwy connectors from WB I-580 to NB and SB US 101
21036	Diablo	N	Selected add'l I-680 aux lns south of I-680/Rte 24 I/C
21066	Region	N	California High-Speed Rail with terminal in San Francisco
21093	Eastshore-South	N	Rte 92/Clawiter Rd/Whitesell St I/C improvements
21100	Tri-Valley	N	I-580/Vasco Rd I/C improvements
21101	Eastshore-South	N	Extend Tinker Ave from Webster St to 5th Ave
21103	Eastshore-South	V	Central Ave railRd overpass
21105	Tri-Valley	V	I-580/Isabel I/C improvements (Phases 1 and 2)
21107	Eastshore-South	V	I-880/High St I/C improvements
21114	Fremont-So. Bay	V	Washington/Paseo Padre Parkway Grade Separation
21123	Fremont-So. Bay	V	Union City Intermodal Sta infrastructure impvts (Phase 2)
21131	Eastshore-South	N	BART-Oakland International Airport connector)
21132	Fremont-So. Bay	N	BART extension to Warm Springs
21185	Eastshore-South	V	Extend Eden Rd from Doolittle Dr to city of San Leandro water pollution control plant
21205	Diablo	N	I-680/Rte 4 I/C fwy-to-fwy direct connectors: EB Rte 4 to SB I-680, and NB I-680 to WB Rte 4 (Phases 1 and 2)
21206	Diablo	N	Caldecott Tunnel fourth bore
21209	Eastshore-North	N	Hercules Transit Center relocation and expansion
21210	Eastshore-North	N	Capitol Corridor train station in Hercules
21211	Delta	N	BART/East Contra Costa rail extension
21212	Delta	N	Construct aux ln along EB Rte 4 and widen Hillcrest Ave EB off-ramp to 2 lns
21214	Delta	N	Widen Wilbur Ave over Burlington Northern Santa Fe Rail Rd to 4 lns
21216	Delta	N	Extend Laurel Rd from Rte 4 Bypass to Empire Ave
21306	Golden Gate	N	US 101/Lucas Valley Rd I/C improvements (initial phase)
21317	Golden Gate	N	Widen Rte 1 from US 101 to Flamingo Rd
21325	Golden Gate	N	US 101/Greenbrae I/C improvements
21326	Golden Gate	N	US 101/Tiburon Blvd I/C improvements (remaining phases)
21334	Golden Gate	V	US 101/Lucas Valley Rd I/C improvements (remaining phases)
21342	San Francisco	V	Caltrain downtown ext/Transbay Terminal replacement
21348	Eastshore-North	C	Install a second span along existing Green Valley Bridge
21349	Peninsula	C	US 101/Ralston Ave I/C improvement
21455	Tri-Valley	C	Widen I-238 /b/ I-580 and I-880 to 6 lns and aux lns on I-880 south of I-238
21456	Tri-Valley	C	I-580 aux lns between Santa Rita Rd/Tassajara Rd and Airway Blvd I/Cs
21466	Eastshore-South	C	Washington Ave/Beatrice St I/C improvements

Table 2.5-7: Transportation Projects with Potential Noise Impacts

Project ID	*Corridor*	*Investment**	*Description*
21467	Eastshore-South	C	Extend Westgate Parkway along eastern edge of Westgate Shopping Center between Williams St and Davis St
21472	Sunol Gateway	C	I-680/Bernal Ave I/C improvements
21473	Tri-Valley	N	Construct a 4-ln mjr arterial connecting Dublin Blvd and North Canyons Pwy
21475	Tri-Valley	N	I-580/First St I/C improvements
21477	Tri-Valley	N	I-580/Greenville Rd I/C improvements
21482	Fremont-So. Bay	N	Exend Fremont Blvd to connect to I-880/Dixon Landing Rd
21483	Fremont-So. Bay	N	Widen Stevenson Blvd from I-880 to Blacow Rd from 4 lns to 6 lns
21484	Fremont-So. Bay	N	Widen Kato Rd from Warren Ave to Milmont Dr
21487	Fremont-So. Bay	C	Widen Mowry Ave from Mission Blvd to Peralta Blvd
21489	Tri-Valley	N	I-580/San Ramon Rd/Foothill Rd I/C improvements
21492	Tri-Valley	N	Extend Scarlett Dr from Dublin Blvd to Dougherty Rd
21510	San Francisco	V	Third St light-rail transit extension to Chinatown, Phase 2 (Central Subway)
21602	Peninsula	C	US 101/BRdway I/C reconstruction
21603	Peninsula	C	US 101/Woodside Rd I/C improvements
21604	Peninsula	C	US 101 aux lns from Sierra Point to San Francisco Co line
21605	Peninsula	C	US 101/Oyster Point Blvd I/C improvements (Phases 2 and 3)
21606	Peninsula	C	US 101/ Willow Rd I/C reconstruction
21607	Peninsula	C	US 101/University Ave I/C reconstruction
21608	Peninsula	C	US 101 NB and SB aux lns from Marsh Rd to Santa Clara Co line
21609	Peninsula	C	I-280/I-380 local access impvts from Sneath Ln and San Bruno Ave to I-380
21610	Peninsula	C	US 101 aux lns from San Bruno Ave to Grand Ave
21612	Tri-Valley	C	Improvement of Dumbarton Bridge access to US 101 (Phase 1)
21613	Peninsula	N	Rte 92 impvts from San Mateo Bridge to I-280; includes uphill passing ln from US 101 to I-280 (Phase 1)
21615	Peninsula	N	I-280/Rte 1 I/C safety improvements (initial phase)
21617	Peninsula	N	Caltrain Express service between San Francisco and San Jose; includes passing tracks and rolling stock (Phase 1)
21618	Transbay San Mateo-Hayward Dumbarton	N	Dumbarton rail corridor (Phase 1)
21619	Peninsula	N	Caltrain express tracks (Phase 2)
21626	Peninsula	N	Caltrain grade separation program (San Mateo Co)
21702	Silicon Valley	C	US 101/Buena Vista Ave I/C construction
21703	Silicon Valley	C	I-880/Coleman Ave I/C improvements
21704	Silicon Valley	C	Improve I-280 downtown access between 3rd St and 7th St
21705	Silicon Valley	C	Rte 237/El Camino Real/Grant Rd intersection improvements
21708	Silicon Valley	V	Add I-280 NB braided ramps between Foothill Expressway and Rte 85
21713	Silicon Valley	V	Construct aux ln on EB Rte 237 from North First St to Zanker Rd
21714	Silicon Valley	V	Widen US 101 /b/ Monterey Hwy and Rte 25 (includes an ext to Santa Teresa Blvd) and construct a full I/C at US 101/Rte 25/Santa Teresa Blvd

Table 2.5-7: Transportation Projects with Potential Noise Impacts

Project ID	*Corridor*	*Investment**	*Description*
21715	Silicon Valley	C	Rte 152/Rte 156 I/C improvements
21716	Silicon Valley	C	Widen Rte 237 to 6 lns for HOV lns /b/ Rte 85 and east of Mathilda Ave
21717	Silicon Valley	C	Widen Rte 25 from US 101 to Rte 156 to 6 lns (includes new I/C at Rte 156)
21718	Silicon Valley	N	Rte 85 NB and SB aux lns between Homestead Ave and Fremont Ave
21719	Silicon Valley	N	I-880/I-280/Stevens Creek Blvd I/C improvements (Phase I)
21720	Silicon Valley	V	US 101/Tennant Ave I/C improvements
21722	Silicon Valley	V	US 101 SB Trimble Rd/De La Cruz Blvd/Central Expressway I/C impvts
21723	Silicon Valley	V	US 101/Tully Rd I/C modifications
21724	Silicon Valley	V	Widen US 101 for NB and SB aux ln from Trimble Rd to Montague Expwy
21727	Silicon Valley	V	Rte 87/US 101 ramp connection to Trimble Rd I/C
21749	Silicon Valley	C	Extend Butterfield Blvd from Tennant Ave to Watsonville Rd
21760	Silicon Valley	C	Double-track segments of the Caltrain line between San Jose and Gilroy
21770	Silicon Valley	C	Extend Caltrain from Gilroy to Salinas
21785	Silicon Valley	N	US 101/Blossom Hill Rd I/C improvements
21786	Silicon Valley	N	US 101/Hellyer Ave I/C modifications
21807	Eastshore-North	N	Widen I-80 from I-680 to Air Base Parkway to 10 lns for HOV lns
21824	North Bay East-West	N	Rte 12 from I-80 to Sacramento Bridge capacity and oper impvts
21884	Golden Gate	V	Petaluma cross town connector/I/C
21886	Eastshore-South	V	Widen unimproved segment of Industrial Pwy /b/ Whipple Rd and improved segment of Industrial Pwy to 4 lns
21888	Golden Gate	C	Construct flyover from Sanitary Landfill Rd east of US 101 to SB US 101
21892	Peninsula	C	Widen Rte 84 from 4 lns to 6 lns from El Camino Real to BRdway
21896	Fremont-So. Bay	N	Rte 84 vertical and horizontal alignment impvts in Fremont
21902	Golden Gate	N	Widen US 101 for HOV lns from Old Redwood Hwy to Rohnert Pk Expwy
21922	Silicon Valley	N	San Jose International Airport connections to Guadalupe LRT
22002	Transbay Bay Bridge	V	Extend HOV ln on I-880 NB from existing HOV terminus at Bay Bridge approach to Maritime on-ramp
22003	Eastshore-North	V	Capitol Corridor: Phase 2 enhancements
22005	Easthshore-South	V	ACE service expansion to eight (8) trains
22009	Eastshore-North	V	Capitol Corridor intercity rail service (track capacity/frequency impvts from Oakland to San Jose
22010	Silicon Valley	C	Construct I-280 NB second exit ln to Foothill Expressway
22011	Delta	C	BART/East Contra Costa rail extension (Construction)
22012	Silicon Valley	C	Rte 237 EB aux ln improvement from North First St to Zanker Rd
22013	Tri-Valley	C	I-580 corridor improvements
22016	Region	C	Various HOV ln gap closures to complete the HOV/HOT network
22017	Silicon Valley	C	Construct Rte 237 EB to Mathilda Ave flyover off-ramp
22018	Silicon Valley	C	US 101/Mathilda Ave I/C improvements
22019	Silicon Valley	C	Downtown E Valley: Santa Clara/Alum Rock and Capitol Expwy to Nieman

Table 2.5-7: Transportation Projects with Potential Noise Impacts

Project ID	*Corridor*	*Investment**	*Description*
22020	Silicon Valley	C	US 101 NB braided ramps between Capitol Expressway and Yerba Buena Rd
22022	Silicon Valley	C	Palo Alto Smart Residential Arterials
22038	Eastshore-North	C	San Francisco-Oakland Bay Bridge toll plaza HOV bypass lns
22042	Fremont-So. Bay	C	Widen I-680 for NB HOV ln from Rte 237 to Stoneride Dr
22063	Eastshore-South	N	Rte 238 corridor improvements between Foothill Blvd/Mattox Rd to Mission Blvd/Industrial Pwy
22064	Sunol Gateway	N	Convert SB HOV ln on I-680 /b/ Rte 84 and Rte 237 into HOT ln
22082	Eastshore-South	V	Reconstruct 7th St/Union Pacific RailRd grade separation
22084	Eastshore-South	V	Oakland International Aiport North Field access Rd
22085	Eastshore-North	V	Various grade separations at Union Pacific RailRd tracks
22088	Tri-Valley	V	I-580/I-680 I/C truck bypass lns
22091	Silicon Valley	V	Upgrade Rte 152 to a limited access 4-ln fwy
22106	Eastshore-South	V	Extend Whitesell St as a 4-ln arterial from Enterprise to Depot Rd
22118	Silicon Valley	C	Extend Hill Rd to Peet Ave
22127	Silicon Valley	C	Rte 85 NB and SB aux lns from Stevens Creek Blvd to Saratoga/Sunnyvale Rd
22128	Silicon Valley	C	Rte 85 NB and SB aux lns from Saratoga/Sunnyvale Rd to Saratoga Ave
22130	Silicon Valley	C	Rte 85 NB and SB aux lns from Saratoga Ave to Winchester Blvd
22134	Silicon Valley	C	Widen US 101 SB from Story Rd to Yerba Buena Rd
22138	Silicon Valley	C	Widen US 101 to 4 lns from Rte 25 to Santa Clara/San Benito Co line
22140	Silicon Valley	C	Widen US 101 between Cochrane Rd and Monterey Highway to 8 lns
22145	Silicon Valley	N	Widen WB Rte 237 on-ramp from Rte 237 to NB US 101 to 2 lns and add aux ln on NB US 101 from Rte 237 on-ramp to Ellis St I/C
22147	Silicon Valley	N	US 101 I/C at Zanker Rd/Skyport Dr/North Fourth St (Phase I)
22152	Silicon Valley	N	Reconstruct Mathilda Ave bridge over Caltrain tracks and Evelyn Ave
22153	Silicon Valley	N	Extend Mary Ave north across Rte 237
22156	Silicon Valley	N	Rte 85 NB to SR 237 EB connector ramp improvements
22158	Silicon Valley	C	Rte 85 aux lns between Fremont Ave and El Camino Real
22161	Silicon Valley	C	Rte 85 aux lns between El Camino Real and Rte 237, and Rte 85/El Camino Real I/C improvements
22162	Silicon Valley	V	Rte 237 WB to Rte 85 SB connector ramp improvements
22164	Silicon Valley	V	Rte 237 WB on-ramp at Middlefield Rd
22165	Silicon Valley	V	US 101 SB to Rte 237 EB aux ln improvements (Phase 1)
22167	Silicon Valley	V	US 101 SB braided ramps between Capitol Expressway and Yerba Buena Rd
22169	Silicon Valley	V	Widen Coleman Ave from Hedding St and a future Autumn St extension from 4 lns to 6 lns
22170	Silicon Valley	V	Construct I-880 overcrossing on Charcot Ave between Paragon Dr and Old Oakland Rd as a reliever Rte to Montague Expressway and Brokaw Rd
22171	Silicon Valley	V	Extend Autumn St from Julian St to Coleman Ave to connect I-880 to west part of downtown San Jose
22175	Silicon Valley	V	Widen Almaden Expwy between Coleman Rd and Blossom Hill Rd to 8 lns

Table 2.5-7: Transportation Projects with Potential Noise Impacts

Project ID	*Corridor*	*Investment**	*Description*
22176	Silicon Valley	V	Widen Berryessa Rd from I-680 to Commercial St from 4 lns to 6 lns
22177	Silicon Valley	V	Widen Branham Ln from Vista Park Dr to Snell Ave from 4 lns to 6 lns
22178	Silicon Valley	V	Replace 4-ln structure with 6-ln bridge on Calaveras Blvd over Union Pacific RailRd from Abel St to Milpitas Blvd
22179	Silicon Valley	N	Widen Central Expwy /b/ Lawrence Expwy and San Tomas Expwy to 6 lns
22180	Silicon Valley	N	Widen Central Expressway between Lawrence Expressway and Mary Ave to provide aux acceleration and/or deceleration lns
22181	Silicon Valley	N	Construct 4-ln bridge over Guadalupe River /b/ Almaden Expressway and Fell Ave to connection sections of Chynoweth Ave
22183	Silicon Valley	N	Widen Lucretia Ave to 4 lns from Story Rd to Phelan Ave
22185	Silicon Valley	N	Widen Oakland Rd to 6 lns from US 101 to Montague Expressway
22186	Silicon Valley	V	Widen San Tomas Expressway between Rte 82 and Williams Rd to 8 lns
22191	Golden Gate	V	US 101/Airport Blvd I/C improvements
22192	Golden Gate	V	Widen Airport Blvd from 2 lns to 4 lns (also includes a center turn ln)
22193	Golden Gate	V	Construct Forestville bypass on Rte 116
22195	Golden Gate	V	Old Redwood Highway/US 101 I/C improvements
22197	Golden Gate	V	Penngrove local Rd improvements including RailRd Ave I/C
22204	Golden Gate	V	Widen Fulton Rd from Guerneville Rd to US 101 from 2 lns to 4 lns
22205	Golden Gate	V	US 101/Hearn Ave I/C impvts; including widening overcrossing and ramps
22206	Golden Gate	V	Construct Rte 12/Fulton Rd I/C
22207	Golden Gate	V	Extend Farmers Ln as a 3-ln or 4-ln arterial from Bellevue Ave to Rte 12
22224	Peninsula	C	Caltrain and California High Speed Rail grade separations and sta in Atherton
22227	Peninsula	C	Extend Geneva Ave from Bayshore Blvd to US 101/Harney ramps to 6 lns
22228	Peninsula	C	Extend Lagoon Way to connect to US 101, Bayshore Blvd and Guadalupe Canyon Parkway
22229	Peninsula	C	US 101/Sierra Point Parkway I/C replacement
22230	Peninsula	N	Study of I-280 aux lns from I-380 to Hickey Blvd
22231	Peninsula	N	Widen north side of John Daly Blvd/I-280 overcrossing for additional WB traffic ln and dedicated right-turn ln for SB I-280 off-ramp
22255	San Francisco Co-wide	C	Construct Ilinois St Intermodal Bridge across Islais Creek to connect to Port of San Francisco's Pier 80 cargo terminal
22271	Peninsula	V	Widen Skyline Blvd (Rte 35) to 4-ln Rdway from I-280 to Sneath Ln
22273	Peninsula	V	US 101/Candlestick I/C reconstruction (Phase 2)
22279	Peninsula	V	US 101/Produce Ave I/C project
22282	Peninsula	C	Widen US 101 SB by adding 5th ln from WB Rte 92 loop on-ramp to Ralston Ave off-ramp
22336	Delta	C	Widen shoulders of Byron Highway and construct grade separation over Union Pacific RailRd tracks
22350	Diablo	V	I-680/Rte 4 I/C improvements (Phases 3 through 5) and HOV flyover ramps
22351	Diablo	V	I-680 NB HOV gap closure between North Main St and Rte 242
22352	Diablo	C	I-680/Norris Canyon Rd HOV direct ramps in San Ramon

Table 2.5-7: Transportation Projects with Potential Noise Impacts

Project ID	*Corridor*	*Investment**	*Description*
22353	Diablo	C	I-680 SB HOV gap closure between North Main St and Livorna
22354	Diablo	C	I-680/Marina Vista I/C improvements
22355	Eastshore-North	V	I-80/Central Ave I/C modifications
22358	Eastshore-North	N	I-80/Rte 4 I/C improvements
22382	Eastshore-North	V	Richmond Parkway/San Pablo Ave grade separated I/C
22388	Diablo	V	Construct Rte 242/Clayton Rd NB on-ramp
22389	Diablo	V	Construct Rte 242/Clayton Rd SB off-ramp
22390	Delta	V	Reconstruct Rte 4/Willow Pass Rd ramps in Concord
22392	Delta	V	Rte 4/Range Rd I/C construction
22400	Delta	V	Construct Rte 239 from Brentwood to Tracy Expressway
22412	San Francisco Co-wide	N	Additional light rail vehicles (LRVs) to expand MUNI rail service
22415	San Francisco Co-wide	N	Expand historic Stcar service (sales tax project)
22419	Golden Gate	N	Widen US 101 for HOV lns from Lucky Dr to North San Pedro Rd
22422	Silicon Valley	C	Widen Senter Rd between Tully Rd and Capitol Expressway to 6 lns
22424	San Mateo Co-wide	C	BART Advanced Automatic Train Control (AATC) Phase V
22429	Golden Gate	C	US 101/Manuel Freitas Parkway I/C improvements
22430	Golden Gate	C	Kerner Blvd/Francisco Blvd East/Andersen Dr underpass connector
22436	Golden Gate	V	US 101 SB aux ln from Lincoln to Mission
22437	Golden Gate	V	US 101 NB aux ln at Nave Dr
22438	Golden Gate	V	Bodega Highway improvements west of Sebastopol
22490	Sonoma Co-wide	V	Convert bridges of Sonoma Co from one-ln to two-ln bridges
22513	Golden Gate	V	Sonoma Marin Area Rail Transit District (SMART) commuter rail (construction only)
22600	Delta	V	Widen Somersville Rd Bridge in Antioch to 4 lns
22601	Delta	V	Rte 4 Bypass, Segment 3: construct a 2-ln facility from Balfour Rd to Walnut Blvd, and upgrade Marsh Creek Rd
22602	Diablo	C	Construct I-680 aux lns in both directions from Sycamore Valley Rd to Crow Canyon Rd
22604	Delta	C	Construct safety and operational impvts (including potential realignment) on Vasco Rd from Brentwood to Alameda Co line
22605	Delta	C	Rte 4 Bypass, Segments 2 & 3: widen and upgrade to full fwy
22607	Delta	C	Major Sts widening, extensions and I/C improvements (East Co)
22609	Diablo	C	Major Sts widening, extensions and I/C improvements (Central Co)
22610	Eastshore-North	C	Major Sts widening, extensions and I/C improvements (West Co)
22612	Diablo	C	I-680/Sycamore Valley Rd direct HOV ramps in Danville
22613	Easthshore-North	C	Major Sts widening, extensions and I/C improvements (Southwest Co)
22622	Peninsula	C	Manor Dr/Rte 1 overcrossing widening and improvement project
22623	Eastshore-North	N	Widen Nut Tree overcrossing to 4 lns
22624	Eastshore-North	N	Construct continuous 4-ln Jepson Parkway from Suisun City to Vacaville
22625	Eastshore-North	N	I-80/North Texas St I/C improvements

Table 2.5-7: Transportation Projects with Potential Noise Impacts

Project ID	*Corridor*	*Investment**	*Description*
22626	North Bay East-West	N	Rte 29/Rte 37 I/C improvements
22630	Eastshore-North	N	Parkway Blvd overcrossing of Union Pacific RailRd grade separation
22631	Eastshore-North	N	Rte 12 WB (Red Top Rd) truck ln
22632	Eastshore-North	N	American Canyon Rd overpass at I-80
22633	Eastshore-North	N	Widen Azuar Dr/Cedar Ave from P St to Residential Parkway to 4 lns
22639	Golden Gate	N	US 101/Mill St I/C in Healdsburg
22640	Golden Gate	N	US 101/Shiloh Rd I/C in Windsor
22641	Golden Gate	N	US 101/Baker I/C in Santa Rosa
22642	Golden Gate	N	US 101/Dry Creek I/C in Healdsburg
22643	Golden Gate	N	US 101/Mendocino Ave/Hopper Ave I/C
22644	Golden Gate	N	US 101/Bellevue I/C
22646	Golden Gate	N	US 101/River Rd I/C
22655	Golden Gate	V	Widen US 101 for HOV lns from Rohnert Park Expwy to Santa Rosa Ave
22656	Golden Gate	V	US 101/East Washington St I/C improvements
22657	Tri-Valley	V	I-205/I-580 Altamont Pass WB truck ln
22660	Eastshore-South	C	Widen I-880 by adding lanes between Whipple and Jackson
22664	Tri-Valley	C	I-580 High Occupancy Toll (HOT) lns from Greenville Rd west to I-680
22666	Tri-Valley	N	Rte 84 High Occupancy Toll (HOT) lns in Tri-Valley
22667	Tri-Valley	N	Tri-Valley rail extension from Dublin/Pleasanton BART Station to Greenville Rd in the I-580 median
22668	Fremont –South Bay	N	Add NB and SB I-680 HOV lns between Rte 84 in Alameda Co to Alcosta Blvd in Contra Costa Co
22670	Eastshore-South	N	Widen I-880 for HOV lns NB from Hacienda overcrossing to 98th Ave and SB from 98th Ave to Marina Blvd
22671	Eastshore-South	N	Construct direct HOV connection between SB I-880 to WB Rte 84
22700	Eastshore-North	V	Construct parallel corridor north of I-80 from Red Top Rd to Abernathy Rd
22701	Eastshore-North	V	I-80/I-680/Rte 12 I/C improvements
22702	Eastshore-North	V	I-80/I-680/Rte 12 I/C improvements: truck scales and aux lns (Phases 3 and 4)
22717	Eastshore-North	C	I-80/I-680/I-780 corridor improvements
22720	Peninsula	N	Caltrain grade separation program (San Mateo Co)
22722	Peninsula	C	Caltrain grade separation program in San Mateo Co
22723	Peninsula	C	Improvement of Dumbarton Bridge access to US 101 (Phase 2)
22724	Peninsula	V	Improve Rte 92 from San Mateo Bridge to I-280 (Phase 2)
22725	Peninsula	V	I-280/Rte 1 I/C improvements
22727	Peninsula	V	US 101/Peninsula Ave SB ramps
22729	Peninsula	V	I-280 aux lns from I-380 to Hickey Blvd
22739	Peninsula	C	US 101 operational improvements near Rte 92
22741	Peninsula	N	Caltrain express tracks (Phase 2) (San Mateo Co share)
22746	Napa Valley	N	Widen Rte 29/First St overcrossing to 4 lns

Table 2.5-7: Transportation Projects with Potential Noise Impacts

Project ID	*Corridor*	*Investment**	*Description*
22747	North Bay East-West	N	Rte 12/Rte 29/Rte 121 intersection improvements
22751	Peninsula	V	Rte 1 operational and safety improvements in Half Moon Bay area
22756	Peninsula	V	US 101/Candlestick I/C reconstruction (Phase 1)
22761	Eastshore-South	V	I-880 from Hegenberger Rd to I-980 operation improvements
22763	Eastshore-South	V	Reconstruct SB I-880 on- and off- ramps and I-880/5th St seismic retrofit
22764	Eastshore-South	V	Construct aux ln on I-880 between Hegenberger Rd and 66th Ave and shift merge point of the WB Hegenberger Rd to I-880 on-ramp
22776	Tri-Valley	V	Widen Rte 84 to 4 lns from north of Pigeon Pass to Vineyard Ave and to 4 or 6 lns from Vineyard Ave to Jack London Blvd
22777	Tri-Valley	V	I-580 on- and off-ramp improvements in Castro Valley
22779	Fremont-South Bay	V	Rte 262/Warren Ave/I-880 I/C improvements (Phase 2)
22785	Tri-Valley	V	Construct I-580 EB aux ln from First St to Vasco Rd
22787	Tri-Valley	V	Realign Isabel/Vallecitos intersection for through movement on Rte 84
22796	Tri-Valley	V	Construct 4-ln arterial connection between future eastern end of Dublin Blvd in Dublin to North Canyons Parkway in Livermore
22800	Fremont-South Bay	V	BART extension into Santa Clara Co (needs operating plan)
22805	Fremont-South Bay	V	Widen Dixon Landing Rd to 6 lns between North Milpitas Blvd and 1-880
22806	Fremont-South Bay	V	Capitol Ave/Great Mall Pwy grade separation over Montague Expressway
22808	Peninsula	V	Caltrain grade separation program in Santa Clara Co
22814	Silicon Valley	V	Extend Foothill Expressway WB deceleration ln at San Antonio Rd
22823	Silicon Valley	V	Widen Snell Ave from 4 lns to 6 lns from Branham Ln to Chynoweth Ave
22830	Silicon Valley	V	Widen First St/Rte 152 to add one EB ln from Church St to Monterey St
22832	Silicon Valley	V	Widen Rte 152 from 2 lns to 4 lns from Miller Slough to Holsclaw Rd
22834	Silicon Valley	V	Widen Rte 237 for EB aux ln from Mathilda Ave to Fair Oaks Ave
22839	Silicon Valley	V	Convert HOV ln to mixed-flow ln on Central Expressway between San Tomas and De La Cruz
22843	Silicon Valley	V	Widen Lawrence Expwy /b/ Moorpark/Bollinger and south of Calvert to 8 lns
22845	Silicon Valley	V	Construct US 101 SB aux ln from Ellis St to EB Rte 237
22848	Silicon Valley	C	Develop HOT ln demonstration project on fwy corridor in Santa Clara Co
22850	Silicon Valley	C	Widen Almaden Plaza Way for a fifth ln at the approach of the Rte 85/Almaden Plaza Shopping Center/Alameda Expressway intersection
22857	Silicon Valley	C	Widen US 101 for a SB aux ln from I-880 to McKee Rd/Julian St
22858	Silicon Valley	C	Widen Union Ave from Los Gatos-Almaden Rd to Ross Creek to 4 lns
22871	Silicon Valley	C	Extend 2-ln Uvas Park Dr from Laurel Dr to Wren Ave
22872	Silicon Valley	C	Widen Montague Expressway for HOV lns between I-880 and I-680
22876	Silicon Valley	C	Convert HOV lns to mixed flow lns on Lawerence Expressway from US 101 to Elko
22878	Silicon Valley	C	Realign Wildwood Ave to connect with Lawrence Expressway
22881	Silicon Valley	C	Construct aux ln on SB Lawrence Expressway between WB Rte 237 and SB Lawrence Expressway

Table 2.5-7: Transportation Projects with Potential Noise Impacts

Project ID	*Corridor*	*Investment**	*Description*
22888	Silicon Valley	C	Widen King Rd to 4 lns from Aborn Rd and Barberry Ln
22892	Silicon Valley	N	Widen US 101 SB aux ln from Great America Pwy to Lawrence Expwy
22893	Silicon Valley	N	Widen US 101 for a NB aux ln from McKee/Julian St to I-880
22897	Sunol Gateway	N	Widen I-680 NB for an HOV ln from Rte 84 to Calavaras Blvd
22898	Eastshore-North	N	Widen I-80 from west of Meridian Rd to west of Kidwell Rd to 8 lns
22899	North Bay East-West	N	Widen Rte 12 between Suisun City and Rio Vista to 4 lns
22902	Silicon Valley	N	Future rail corridors to be determined by Major Investment Studies (MIS)
22911	Silicon Valley	N	Widen Farrell Ave Bridge to 2-ln facility
22925	Silicon Valley	N	DeWitt Ave S-curve realignment
22945	Silicon Valley	N	Construct Aldercroft Creek Bridge on Old Santa Cruz Highway
22958	Silicon Valley	N	US 101 SB to EB Rte 237 connector improvements
22965	Silicon Valley	N	US 101/Mabury Rd/Taylor St I/C construction
22981	Delta	N	Widen Rte 4 as 4-ln arterial from Marsh Creek Rd to San Joaquin Co line
22983	Silicon Valley	N	US 101/Zanker Rd/Skyport Dr/Fourth St I/C construction (Phase 2)
22986	Eastshore-North	N	Widen and improve BRdway between Rte 37 and Mini Dr from 2 lns to 4 lns
22988	Eastshore-North	N	Commuter Rail Service - Sacramento to Oakland (capital and operating)
22990	Fremont-South Bay	N	Widen Rte 262 from I-880 to Warm Springs Blvd
22991	Fremont-South Bay	N	Widen I-680 for SB HOV/HOT ln from Rte 237 to Rte 84
94024	Tri-Valley	N	Auto/truck separation ln at I-580/I-205 I/C
94030	Fremont-South Bay	N	Reconstruct I-880/Rte 262 I/C and widen I-880 from Rte 262 (Mission Blvd) to the Santa Clara Co to 10 lns (8 mixed-flow and 2 HOV lns)
94047	Eastshore-North	N	Extend the northern limits of the I-80 WB HOV ln from north of Cummings Skyway to Rte 4
94050	Delta	N	Upgrade Rte 4 to full fwy from I-80 to Cummings Skyway (Phase 2)
94051	Diablo	N	I-680 aux ln from Diablo Rd to Sycamore Valley Rd (Segment 1) in Danville; from Crow Canyon Rd to Bollinger Canyon Rd (Segment 3) in San Ramon
94052	Diablo	N	I-680 HOV lns from Marina Vista I/C to North Main St (SB) and from Rte 242 NB to the Marina Vista I/C
94071	Napa Valley	N	Replace Napa River (Maxwell) Bridge and widen to 4 lns on Rte 121
94073	North Bay East-West	N	Construct new SB Rte 221 to SB Rte 29 flyover
94074	North Bay East-West	N	Widen Rte 12 from I-80 in Solano Co to Rte 29 in Napa Co to 4 lns
94075	North Bay East-West	N	Rte 12/Rte 29/Airport I/C construction
94089	Golden Gate	N	Reconstruct Doyle Dr from Golden Gate Bridge toll plaza to Broderik St
94100	Peninsula	N	US 101 aux lns from Marsh Rd to Rte 92 (under construction)
94150	Diablo	N	I-80/I-680/Rte 12 I/C improvements; includes connectors and aux lns between Green Valley Rd and Cordelia truck weigh station (Phase 1)
94151	Eastshore-North	C	Construct 4-ln Jepson Parkway from Rte 12 to Leisure Town Rd
94152	North Bay East-West	N	Widen Rte 12 from I-80 in Solano Co to Rte 29 in Napa Co to 4 lns
94165	Golden Gate	V	US 101 NB and SB HOV lns from Rte 12 to Steele Ln in Santa Rosa

Table 2.5-7: Transportation Projects with Potential Noise Impacts

Project ID	*Corridor*	*Investment**	*Description*
94504	Alameda Co-wide	V	Construct 4-ln Airport from I-880/98th Ave I/C to Oakland International Airport and then to Bay Farm Island
94506	Fremont-South Bay	V	Widen Rte 84 to 6-ln parkway from I-880 to Paseo Padre and 4-ln parkway from Paseo Padre to Mission Blvd along the Historic Parkway alignment
94514	Transbay San Mateo-Hayward Dumbarton	V	I-880/Rte 92 I/C improvements
94531	Delta	C	Widen Rte 4 to 6 mixed flow lns and 2 HOV lns from Bailey Rd to Rail Rd Ave with median wide enough to accommodate future BART
94540	Eastshore-North	C	Carquinez Bridge replacement: construct new suspension bridge west of existing bridges and modify Crockett I/C
94541	Eastshore-North	C	New Benicia-Martinez Bridge: construct new bridge span east of existing span (4 mixed-flow lns and 1 slow-vehicle ln)
94563	Golden Gate	C	Widen US 101 for HOV lns (one in each direction) from Lucky Dr in Corte Madera to North San Pedro Rd in San Rafael
94575	Napa Valley	N	Construct grade-separated I/C at Rte 29 and Redwood Rd/Trancas St
94632	San Francisco Co-wide	N	Third St Light Rail project: light rail transit ext to Bayview Hunters Point
94644	Peninsula	N	Rte 92 WB slow vehicle ln between Rte 35 and I-280
94656	Peninsula	N	Devil's Slide bypass
94675	North Bay East-West	C	Widen Rte 37 from Napa River Bridge to Rte 29 to 4-ln fwy
96022	Delta	N	Rte 4 Bypass, Segment 1: construct a 6-ln facility from Rte 4 to Laurel Rd and a 4-ln facility from Laurel Rd I/C to Lone Tree Way
98103	Silicon Valley	V	Construct aux ln on NB Rte 17 from Camden Ave to Hamilton Ave
98104	Delta	V	Widen Rte 4 from RailRd Ave to Loveridge: I/C impvts and hwy widening
98115	Delta	V	Widen Ygnacio Valley/Kirker Pass Rds to 6 lns from MI Blvd to Cowell Rd
98119	Silicon Valley	V	Vasona Corridor light rail extension from downtown San Jose to Winchester Blvd in Campbell
98121	Silicon Valley	V	Increase Caltrain service from San Jose to Gilroy
98127	Delta	V	I-680/Alcosta Blvd I/C improvements
98130	Diablo	V	Widen Alhambra Ave from Rte 4 to McAlvey Dr to 4 lns
98132	Diablo	V	Widen and extend Bollinger Canyon Rd to 6 lns from Alcosta Blvd to Dougherty Rd
98133	Diablo	V	Widen Pacheco Blvd from Blum Rd to Arthur Rd from 2 lns to 4 lns
98134	Diablo	V	Widen Dougherty Rd to 6 lns from Red Willow to Contra Costa Co line
98135	Diablo	V	Construct Windermere Parkway: 4 lns from Bollinger Canyon Rd extension to East Branch
98136	Diablo	V	Construct East Branch as 4 lns from Bollinger Canyon Rd extension to Camino Tassajara
98140	Sunol Gateway	V	I-680 Sunol Grade SB HOV lns and aux ln from Rte 84 to Rte 237
98142	Delta	V	Widen Rte 4 to 8 lns with HOV lns from Loveridge Rd to Somersville Rd
98147	Golden Gate	V	Widen US 101 from Rte 116 east to the Marin/Sonoma Co line to 6 lns
98153	Eastshore-North	V	Reconstruct MacArthur Blvd onramp for access to I-80 EB and I-580 WB
98154	Golden Gate	V	Widen US 101 from Rte 37 to the Sonoma Co line to 6 lns

Table 2.5-7: Transportation Projects with Potential Noise Impacts

Project ID	*Corridor*	*Investment**	*Description*
98175	Silicon Valley	V	Widen Montague Expressway to 8 lns from I-680 to US 101
98176	Peninsula	C	US 101 aux lns from 3rd Ave to Millbrae and US 101/Peninsula Ave I/C reconstruction
98178	Golden Gate	C	US 101/Sir Francis Drake Blvd improvements
98183	Golden Gate	C	Widen US 101 for HOV lns between Steele Ln and Windsor River Rd
98193	Delta	C	Extend Panoramic Dr from North Concord BART Station to Willow Pass Rd
98194	Diablo	N	Extend Commerce Ave between Pine Creek and Waterworld Parkway to connect Willow Pass Rd with Rte 242/Concord Ave I/C
98196	Diablo	N	Rte 24 EB aux lns from Gateway Blvd to Brookwood Rd/Moraga Way
98198	Delta	V	Vasco Rd safety and operational impvts in Contra Costa and Alameda Co
98204	Eastshore-South	C	Construct Rte 1 NB and SB lns from Fassler Ave to Westport Dr in Pacifica
98207	Eastshore-North	C	I-880/BRdway-Jackson I/C improvements (Phase 1)
98211	Sonoma Co-wide	C	I-80 EB HOV ln ext from Rte 4 to the Crockett I/C S of Carquinez Bridge
98221	Delta	V	Rte 4 Bypass, Segment 2, Phase2: widen to 4 lns from Lone Tree Way to Balfour Rd
98222	Delta	V	Rte 4 Bypass, Segment 1: Rte 160 fwy-to-fwy connectors
98999	Delta	N	Widen Rte 4 EB from 4 lns to 8 lns from Somersville Rd to Rte 160

**C=Committed, N=New Commitment, V=Vision Element*

Source: MTC, 2004; ESA, 2005.

MODIFY CHAPTER 2.9: VISUAL RESOURCES AS FOLLOWS:

Significance Criteria, Criterion 1, page 2.9-5:

Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact where transportation projects block panoramic views or views of significant landscape features or landforms (mountains, oceans, rivers, the San Francisco Bay, or significant man-made structures) as seen from the transportation facility or from public viewing areas.

MODIFY CHAPTER 3.1: ALTERNATIVES TO THE PROJECT AS FOLLOWS:

Paragraph 3, sentence 2, page 3.1-4:

… which are policy-based projections that are intended to represent generally, but not exactly, the goals ~~outcome~~ of the …"

Transportation Solutions Defense and Education Fund (TRANSDEF) Smart Growth Alternative (Alternative 5), page 3.1-4, paragraph 1, sentence 1:

…~~Citizens~~ Communities for a Better Environment (CBE)…

Transportation: Proposed System Capacity Increases (Supply), page 3.1-11, paragraph 3, last sentence:

Notably, the TRANSDEF Smart Growth alternative reduces new freeway HOV lane miles by 50% compared to the proposed project.

Table 3.1-14, page 3.1-25:

Correct the number of housing units planned in Walnut Creek and Lamorinda (see the italicized number).

Table 3.1-14: Comparison of TRANSDEF'S Land Use Assumptions and Residential Development Potential in General Plans

	Increase in Households		*Total Units Needed*	*Planned Residential Development Potential Per General Plans*	*Shortfall - Unplanned Growth with TRANSDEF Smart Growth*
Aggregated Superdistricts	*(A) ABAG: 2000-2030*	*(B) Additional Households with TRANSDEF Land Use Assumptions*	*Columns A + B + Units for 5% vacancy Rate*	*(Housing Units)*	*(Housing Units)*
San Francisco	72,897	39,693	118,220	29,190 to 45,450[1]	72,770 - 88,030
San Jose	67,512	5,145	76,290	39,335 to 45,554[2]	30,736-36,955
Walnut Creek Lamorinda	11,995	21,596	35,270	*5,192*[3]	30,078
Total					133,584 – 155,063

1. New housing construction potential and maximum buildout capacity with re-zoning after environmental review in residential districts, neighborhood commercial districts, mixed use districts, Downtown, Industrial Districts and Mission Bay per Tables I-56 and I-59 San Francisco Housing Element, May 2004.
2. Planned housing supply – average yield and maximum yield – from vacant land with residential zoning, vacant land with non-residential zoning, non-vacant land planned for housing and non-vacant land in specific plan areas planned for housing per Table 38, San Jose General Plan Housing Element, April 2003.
3. Per local general plans: 2,305 units in Walnut Creek; 839 units in Moraga, 1,041 units in Orinda and 1,007 units in Lafayette.

Sources: ABAG, 2003, TRANSDEF Smart Growth Alternative, and local General Plans

Growth-Inducing Effects, page 3.1-34:

"On the other hand, the TRANSDEF Smart Growth Alternative does show the greatest improvement in accessibility to jobs (see Table 3.1-7) which could mitigate local growth-inducing impacts at outlying locations as development at infill sites well-served by transit may be preferred by those who want to maximize access to the labor force. Further, as noted in the discussion of the growth-inducing effects of the proposed project on page 2.11-10, improved transit may be one of the factors that can facilitate infill development, acting in turn as a deterrent to urban space and bring more housing into the Bay Area that otherwise might be build outside the nine-county region. Because transit use in the TRANSDEF Smart Growth Alternative is substantially higher than other alternatives (see Table 3.1-4), it offers more support for transit-oriented employment opportunities."

ADD TO BIBLIOGRAPHY

TRANSDEF 2004. Website: Transdef.org

MODIFY APPENDIX D: TRANSDEF SMART GROWTH ALTERNATIVE AS FOLLOWS:

Introduction, page D-1, paragraph 1, sentence 1:

…~~Citizens~~ Communities for a Better Environment (CBE)…

Land Use Assumptions, page D-1, paragraph 3, sentence 3:

However, TRANSDEF reduces the total land area developed for residential land use by…

…but increases it in the urban core (greater than 20,000 persons per square mile~~s~~)…

Land Use Assumptions, page D-2, first full paragraph, last sentence:

TRANSDEF believes that MTC has a role in accomplishing these land use changes by withholding certain federal and state discretionary funds from local jurisdictions that do not make the necessary revisions to their local plans, and providing other discretionary funds as incentives to jurisdictions that revise their local plans to complement the region.

Funding Assumptions, page D-3:

Transit Projects:

New Diesel Multiple Unit (DMU) for the East Contra Costa County (Delta corridor), Sonoma-Marin (SMART), and Vallejo-Napa.

Pricing Programs, page D-4, paragraph 1, sentence 1:

TRANSDEF proposes several new transportation pricing policies ~~will~~ to be implemented…

Transit Project Selection Methodology, pages D-5, paragraph 1, sentence 1:

Rapid Bus

Rapid buses run along revitalized transit arterials through most of the Peninsula cities.

Transit Project Selection Methodology, pages D-5, paragraph 1, sentence 3:

Rapid Bus

...and buses will have more doors to make loading and unloading faster.

Transit Project Selection Methodology, pages D-6, paragraph continued from previous page, last sentence:

Stockton Street in Chinatown is given over exclusively to delivery vehicles and transit service.

Figure D.2-3, page D-41:

Title is revised to read: Comparison of Employment Density Projections - 2030

MODIFY APPENDIX C: PROJECT LISTINGS FOR THE TRANSPORTATION 2030 PLAN AND ALTERNATIVES AS FOLLOWS:

Indicate the inclusion of SMART commuter rail project (project # 22001 and 22513) in the TRANSDEF Smart Growth alternative.

MODIFY APPENDIX F AS FOLLOWS:

State Agencies Responsible for Managing Biological Resources, page F-6:

San Francisco Bay Conservation and Development Commission (BCDC) was founded by the California Legislature in 1965. BCDC is the state coastal management agency for San Francisco Bay and has jurisdiction in the greater San Francisco Bay area to administer the State's McAteer-Petris Act, the San Francisco Bay Plan, and the Suisun Marsh Preservation Act. BCDC and its staff evaluate projects in light of these regulations and are principally charged with regulating fill and dredging in San Francisco Bay (which includes San Pablo and Suisun Bays, sloughs and certain creeks and tributaries that are part of the Bay system, salt ponds and certain other areas that have been diked-off from the Bay), protecting the Bay, maximizing public access to the Bay, and encouraging appropriate development along the Bay shoreline.

The McAteer-Petris Act directs BCDC to exercise its authority to issue or deny permit applications for placing fill, extracting materials, or changing the use of any land, water, or structure within the area of its jurisdiction, in conformity with the provisions and policies

of both the McAteer-Petris Act and the San Francisco Bay Plan. Thus, BCDC is directed by the McAteer-Petris Act to carry out its regulatory process in accordance with the Bay Plan policies and maps, which guide the protection and development of the Bay and its marshes, managed wetlands, salt ponds, and shoreline.

The Suisun Marsh Preservation Act was finalized by the California Legislature in 1974 as a primary means to manage and preserve tidal marsh, managed wetlands, adjacent grasslands, and waterways in Suisun Marsh and secondary management areas that include significant buffer lands. Under the Suisun Marsh Preservation Act, BCDC manages the State's interests as the land use permitting agency for major projects in the primary management area, and serves as an appellate body with limited functions in the secondary management area.

3 Comments on the Draft EIR

This section contains copies of the comment letters and oral comments received on the Draft EIR on the Transportation 2030 Plan, outlined in the table below. A total of 29 letters (plus two sets of comments from public hearings) were received during the 56-day comment period, from November 12, 2004 through January 7, 2005. Although several comments were received late, they are responded to in this Final EIR. Each comment letter is numbered, and each individual comment is lettered in the left-hand margin. Responses to each comment are found in Section 4 of this document. Please note that only comments on the Draft EIR are addressed in this Final EIR. Comments on the Transportation 2030 Plan will be addressed separately by MTC. Therefore, any individual comments that are not relevant to the EIR are not numbered and lettered.

Where appropriate, the information and/or revisions suggested in these comment letters have been incorporated into the Final EIR. These revisions are included in Section 2 of this document.

All documents incorporated herein by reference are available for review at the MTC offices located at 101 Eighth Street, Oakland, CA 94607.

Letter #	*Date*	*Agency/Organization*	*Commenter*
State Agency			
1	January 6, 2005	State of California Governor's Office of Planning and Research State Clearinghouse and Planning Unit	Terry Roberts Director, State Clearinghouse
2	December 14, 2004	Department of Conservation	Dennis J. O'Bryant Acting Assistant Director
3	January 7, 2005	Caltrans	Dana Cowell Deputy District Director
Regional Agency			
4	December 14, 2004	Southern California Association of Governments	Jeffrey M. Smith Senior Regional Planner
5	December 28, 2004	Bay Conservation and Development Commission	Lindy L. Lowe Coastal Planner
6	January 7, 2005	Bay Area Air Quality Management District	Jack P. Broadbent
Local Agency			
7	December 16, 2004	City of Alameda	Greg Fuz Planning and Building Director
8	December 27, 2004	Contra Costa Transportation Authority	Robert McCleary Executive Director
9	January 7, 2005	Alameda Congestion Management Agency	Jean Hart

Letter #	*Date*	*Agency/Organization*	*Commenter*
10	January 7, 2005	Transportation Authority of Marin	Craig Tackaberry Executive Director
11	January 7, 2005	Santa Clara Valley Transportation Authority	Roy Molseed Senior Environmental Planner
12	January 7, 2005	San Francisco Transportation Authority	Tilly Chang Deputy Director for Planning
13	January 6, 2005	Solano Transportation Authority	Daryl Halls Executive Director
14	January 5, 2005	Port of Oakland	Steve Gregory Senior Port Strategic Planner
15	December 23, 2004	Contra Costa County Community Development Department	Steve L. Goetz Deputy Director, Transportation Planning Division
16	January 7, 2005	City and County of San Francisco Department of Public Health	Lili Farhang Program on Health, Equity and Sustainability Rajiv Bhatia Director, Environmental Health Section
Organizations/Individuals			
17	January 3, 2005	San Francisco Tomorrow	Jennifer Clary President Norman Rolfe Transportation Chair
18	December 12, 2004	TRANSDEF	Sherman Lewis
19	January 6, 2005	TRANSDEF	Sherman Lewis
20	January 7, 2005	TRANSDEF	Marc Chytilo
21	January 6, 2005	TRANSDEF	David Schonbrunn
22	January 7, 2005	BestPhones	Unsigned Email
23	January 4, 2005	Transportation Land use Coalition (TALC)	Stuart Cohen Executive Director
24	January 5, 2005	Regional Alliance for Transit	M. Kiesling
25	January 4, 2005	League of Women Voters of the Bay Area	Linda Craig President Irene Sampson Transportation Director
26	January 7, 2005	Urban Habitat	Juliet Ellis Executive Director

Letter #	*Date*	*Agency/Organization*	*Commenter*
27	December 10, 2004	Public Hearing Comments	
28	December 15, 2004	Public Hearing Comments	
29	January 18, 2005		Jerry Cauthen
30	January 13, 2005	Association of Monterey Bay Area Governments	Nicolas Papadakis Executive Director
31	December 10, 2004	MTC's Minority Citizens Advisory Committee (MCAC)	MCAC

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

Arnold
Schwarzenegger
Governor

Jan Boel
Acting Director

January 6, 2005

Letter 1

Ashley Nguyen
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

Subject: Transportation 2030 Plan for the San Francisco Bay Area
SCH#: 2004022131

Dear Ashley Nguyen:

1-A The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on January 5, 2005, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

Document Details Report
State Clearinghouse Data Base

SCH# 2004022131
Project Title Transportation 2030 Plan for the San Francisco Bay Area
Lead Agency Metropolitan Transportation Commission

Type EIR Draft EIR

Description A detailed description of the proposed Transportation 2030 Plan is included in Chapter 1.2. The Transportation 2030 Plan represents a strategic investment to improve system performance for Bay Area travelers over the next 25 years and includes a set of highway, transit, local roadway, bicycle, and pedestrian projects identified through regional and local transportation planning processes. Key investments would focus on adequate maintenance, system efficiency and operations, and strategic expansion.

Lead Agency Contact

Name Ashley Nguyen
Agency Metropolitan Transportation Commission
Phone (510) 464-7809 **Fax**
email
Address 101 Eighth Street
City Oakland **State** CA **Zip** 94607

Project Location

County Alameda, Contra Costa, Marin, Napa, Solano, Sonoma, ...
City
Region
Cross Streets
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways
Airports
Railways
Waterways
Schools
Land Use

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Cumulative Effects; Economics/Jobs; Geologic/Seismic; Growth Inducing; Landuse; Noise; Soil Erosion/Compaction/Grading; Traffic/Circulation; Water Quality; Wetland/Riparian; Wildlife

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 3; Department of Parks and Recreation; Office of Historic Preservation; San Francisco Bay Conservation and Development Commission; Office of Emergency Services; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, Division of Transportation Planning; Native American Heritage Commission; Public Utilities Commission; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 2; Air Resources Board, Transportation Projects

Date Received 11/15/2004 **Start of Review** 11/15/2004 **End of Review** 01/05/2005

Note: Blanks in data fields result from insufficient information provided by lead agency.

ARNOLD SCHWARZENEGGER
GOVERNOR

DEPARTMENT OF CONSERVATION
STATE OF CALIFORNIA

DIVISION OF
LAND RESOURCE
PROTECTION

801 K STREET
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Letter 2

December 14, 2004

Ashley Nguyen
Metropolitan Transportation Commission
101 8th Street
Oakland, CA 94604

Subject: Draft Environmental Impact Report for the Transportation 2030 Plan, SCH# 2004022131, Bay Area Counties

Dear Ms. Nguyen:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Draft Environmental Impact Report (DEIR) for the above-referenced project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's impacts on agricultural land and resources.

Project Description

The DEIR evaluates impacts of the proposed Transportation Plan and five alternatives. The Plan represents a strategic investment plan to improve system performance for the Bay Area travelers that includes highway, transit, local roadway, bicycle and pedestrian projects identified through regional and local transportation planning processes.

The DEIR indicates that significant impacts to agricultural land and resources are anticipated as the Plan is implemented over time.

2-A Agricultural Setting of the Project

Any subsequent environmental documents, including the Final EIR, should describe the known areas that will be converted from farmland to another use as a result of this plan and its related projects. The document indicates that there may be 59 projects within the 10 corridors that may impact 3430 acres of farmland. Changes in land uses may impact 5840 acres of farmland. The Division's Important Farmland Map for each County should be utilized to identify agricultural land within the project site

and in the surrounding area that may be impacted. Acreages for each land use designation should be identified for both areas. Likewise, the County's Williamson Act Map should be utilized to identify potentially impacted contract, Farmland Security Zone (FSZ) and agricultural preserve land by acreage and whether it is prime or nonprime agricultural land according to definition in Government Code §51201(c). Maps of the Important Farmland and Williamson Act land should be included in the DEIR.

2-B In addition, we recommend including the following items of information to characterize the agricultural land resource settings of the Plan's related projects:

- Current and past agricultural use of the project area. Include data on the types of crops grown, crop yields and farm gate sales values.
- To help describe the full agricultural resource value of the soils of the site, we recommend the use of economic multipliers to assess the total contribution of the site's potential or actual agricultural production to the local, regional and state economies. State and Federal agencies such as the UC Cooperative Extension Service and USDA are sources of economic multipliers.

2-C <u>Project Impacts on Agricultural Land</u>

The Department recommends that the following information be included in the FEIR in the analysis of project-specific impacts:

- Type, amount, and location of farmland lost to project implementation. The conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance is considered a potentially significant adverse impact.
- A discussion of conflicts with Williamson Act contracts, including termination in order to accommodate the Plan's projects. The FEIR should also discuss the impacts that conflicts or termination would have on nearby properties under contract; i.e., growth-inducing impacts from the perspective that the removal of contract protection removes a barrier to development and results in an incentive to shift to a more intensive land use such as urban development. The termination of a Williamson Act contract is considered a potentially significant adverse impact.
- Indirect impacts on current and future agricultural operations; e.g., land-use conflicts, increases in land values and taxes, vandalism, population, traffic, water availability, etc.
- Growth-inducing impacts, including whether leapfrog development is involved.
- Incremental project impacts leading to cumulatively considerable impacts on agricultural land. These impacts would include impacts from the proposed project as well as impacts from past, current and probable future projects. The Division's farmland conversion tables may provide useful historical data.
- Impacts on agricultural resources may also be quantified and qualified by use of established thresholds of significance (CEQA Guidelines §15064.7). The DEIR

indicates that potential impacts to agricultural resources are considered significant.
2-C (cont.) In addition to the mitigation measures that the DEIR identifies, the lead agency and the local agencies should consider supporting the California Farmland Conservancy Program. Information is available on the Department's website.

2-D Williamson Act Lands

The Department recommends that the following information be included in the FEIR regarding Williamson Act lands impacted by implementation of the Plan.

As a general rule, land can be withdrawn from Williamson Act contract only through the nine-year nonrenewal process. Immediate termination via cancellation is reserved for "extraordinary", unforeseen situations (See Sierra Club v. City of Hayward (1981) 28 Cal.3d 840, 852-855). Furthermore, it has been held that "cancellation is inconsistent with the purposes of the (Williamson) act if the objectives to be served by cancellation should have been predicted and served by nonrenewal at an earlier time, or if such objectives can be served by nonrenewal now" (Sierra Club v. City of Hayward). Given the extended phasing and time periods involved in a city's or county's general plan, it appears feasible to utilize the nonrenewal process if contract termination is necessary for implementation of the Plan.

- If cancellation is proposed, notification must be submitted to the Department when the County or City accepts the application as complete (Government Code §51284.1). The board or council must consider the Department's comments prior to approving a tentative cancellation. Required findings must be made by the board or council in order to approve tentative cancellation. Cancellation involving FSZ contracts include additional requirements. We recommend that the DEIR include discussion of how cancellations involved in this project would meet required findings. However, notification must be submitted separately from the CEQA process and CEQA documentation. (The notice should be mailed to the Director of the Department of Conservation, c/o Division of Land Resource Protection, 801 K Street MS 18-01, Sacramento, CA 95814-3528.)
- Pursuant to Government Code §51243, if a city annexes land under Williamson Act contract, the city must succeed to all rights, duties and powers of the county under the contract unless conditions in §51243.5 apply to give the city the option to not succeed to the contract. A Local Agency Formation Commission (LAFCO) must notify the Department within 10 days of a city's proposal to annex land under contract (Government Code §56753.5). A LAFCO must not approve a change to a sphere of influence or annexation of contracted land to a city unless specified conditions apply (Government Code §§51296.3, 56426, 56426.5, 56749 and 56856.5).
- Termination of a Williamson Act/FSZ contract by acquisition can only be accomplished by a public agency, having the power of eminent domain, for a public

improvement. The Department must be notified in advance of any proposed public acquisition (Government Code §51290 - 51292), and specific findings must be made. The property must be acquired in accordance with eminent domain law by eminent domain or in lieu of eminent domain in order to void the contract (§51295). The public agency must consider the Department's comments prior to taking action on the acquisition. School districts are precluded from acquiring land under FSZ contract. We recommend discussion in the FEIR of whether such action is envisioned by this project and how the acquisition will meet the required findings. However, notification must be submitted separately from the CEQA process and CEQA documentation to the address noted above.

- If any part of the site is to continue under contract, or remain within an agricultural preserve, after project completion, the DEIR should discuss the proposed uses for those lands. Uses of contracted and preserve land must meet compatibility standards identified in Government Code §51238 - 51238.3, 51296.7. Otherwise, contract termination (see above) must occur prior to the initiation of the land use, or the preserve must be disestablished.
- An agricultural preserve is a zone authorized by the Williamson Act, and established by the local government, to designate land qualified to be placed under contract. Preserves are also intended to create a setting for contract-protected lands that is conducive to continuing agricultural use. Therefore, the uses of agricultural preserve land must be restricted by zoning or other means so as not to be incompatible with the agricultural use of contracted land within the preserve (Government Code §51230). The FEIR should also discuss any proposed general plan designation or zoning within agricultural preserves affected by the Plan and its related projects.

2-E Mitigation Measures

The Department encourages the use of agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land. If a Williamson Act contract is terminated, or if growth inducing or cumulative agricultural impacts are involved, we recommend that this ratio be increased. We highlight this measure because of its acceptance and use by lead agencies as mitigation under CEQA. It follows a rationale similar to that of wildlife habitat mitigation. The loss of agricultural land represents a permanent reduction in the State's agricultural land resources. Agricultural conservation easements will protect a portion of those remaining resources and lessen project impacts in accordance with CEQA Guideline §15370.

Mitigation using agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least regional

2-E (cont.) significance, and the search for replacement lands conducted regionally or statewide, and not limited strictly to lands within the project's surrounding area.

Other forms of mitigation may be appropriate for this project, including the following:

- Protecting farmland in the project area or elsewhere in the County through the use of less than permanent long-term restrictions on use such as 20-year Farmland Security Zone contracts (Government Code §51296 et seq.) or 10-year Williamson Act contracts (Government Code §51200 et seq.).
- Directing a mitigation fee to invest in supporting the commercial viability of the remaining agricultural land in the project area, County or region through a mitigation bank that invests in agricultural infrastructure, water supplies, marketing, etc.
- The Department also has available listing of approximately 30 "conservation tools" that have been used to conserve or mitigate project impacts on agricultural land. This compilation report may be requested from the Division at the address or phone number below.

Although the direct conversion of agricultural land and other agricultural impacts are often deemed to be unavoidable by an agency's CEQA analysis, mitigation measures must nevertheless be considered. The adoption of a Statement of Overriding Consideration does not absolve the agency of the requirement to implement feasible mitigation that lessens a project's impacts. A principal purpose of an EIR is to present a discussion of mitigation measures in order to fully inform decision-makers and the public about ways to lessen a project's impacts. In some cases, the argument is made that mitigation cannot reduce impacts to below the level of significance because agricultural land will still be converted by the project, and, therefore, mitigation is not required. However, reduction to a level below significance is not a criterion for mitigation. Rather, the criterion is feasible mitigation that lessens a project's impacts. Pursuant to CEQA Guideline 15370, mitigation includes measures that "avoid, minimize, rectify, reduce or eliminate, or compensate" for the impact. For example, mitigation includes *"Minimizing impacts by limiting the degree or magnitude of the action and its implementation (§15370(b))"* or *"Compensating for the impact by replacing or providing substitute resources or environments (§15370(e))."*

All measures ostensibly feasible should be included in the FEIR and subsequent documents. Each measure should be discussed, as well as the reasoning for selection or rejection. A measure brought to the attention of the Lead Agency should not be left out unless it is infeasible on its face.

Finally, when presenting mitigation measures in the FEIR, it is important to note that mitigation should be specific, measurable actions that allow monitoring to ensure their implementation and evaluation of success. A mitigation consisting only of a statement of intention or an unspecified future action may not be adequate pursuant to CEQA.

2-E (cont.) Information about agricultural conservation easements, the Williamson Act and provisions noted above is available on the Department's website or by contacting the Division at the address and phone number listed below. The Department's website address is:

http://www.conservation.ca.gov/dlrp/index.htm

Thank you for the opportunity to comment on this DEIR. The Department looks forward to receiving your response, including a copy of the FEIR. If you have questions on our comments or require technical assistance or information on agricultural land conservation, please contact Jeannie Blakeslee 801 K Street, MS 18-01, Sacramento, California 95814; or, phone (916) 323-4943.

Sincerely,

Dennis J. O'Bryant
Acting Assistant Director

cc: State Clearinghouse

DEPARTMENT OF TRANSPORTATION
111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5621
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Flex your power!
Be energy efficient!

Letter 3

January 7, 2005

Ms. Ashley Nguyen
Project Manager
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

File# GEN
SCH# 2004022131

Dear Ms. Nguyen:

"Mobility for the Next Generation" - Transportation 2030 Draft Environmental Impact Report for the San Francisco Bay Area – October 2004

Thank you for including the California Department of Transportation (Caltrans) in the review process for the Transportation 2030 Draft Environmental Impact Report (DEIR) , the Bay Area's Regional Transportation Plan (RTP).

We have reviewed the Transportation 2030 Draft Environmental Impact Report for the San Francisco Bay Area – October 2004, and have the following comments to offer.

Caltrans would like to acknowledge the Metropolitan Transportation Commission (MTC) for its extensive public outreach to gather public input for the Planning process in preparation of the T-2030 Draft Environmental Impact Report. We particularly wish to recognize MTC's efforts to involve underrepresented segments of the Bay Area community.

3-A ***Executive Summary***

Page 5, first bullet of the Executive Summary (ES-5)

This section describes Alternative 4 as the "Financially Constrained Transportation 2030 Plan Plus High-Occupancy/Toll (HOT) Network Alternative." It notes that the 300 freeway lane miles of the Bay Area's existing network of High-Occupancy Vehicle (HOV) lanes for 2+ occupants would be converted to HOT lanes. The HOT lane network mentioned in this paragraph would consist of 800 miles of HOT lanes on the freeways, which is an additional 500 freeway lane miles over existing (2000) conditions. Also, since the creation of the HOT lane network is part of the Vision Element of the proposed project (T2030 plan), the additional 500 miles of HOT lanes would be funded by revenue measures that may become available in the future.

1) Would the occupancy of the HOT lanes be 2+ or 3+?
2) A vehicle occupancy of 3+ should be specified in the Executive Summary as well as the main document.

3-B ***Section 1.2 Overview of the Proposed T-2030 Plan***

Page 1.2-10

This section identifies the completion of a HOV lane network in the region and the conversion of some segments into HOT lanes. Caltrans is aware that MTC has applied for a 2005-2006 Partnership Planning grant to conduct a Regional HOT Lane Feasibility and Implementation Plan and that any assumptions regarding the scope and occupancy requirements of a regional HOT lane network are premature until this more comprehensive study is performed. Current legislation establishes a 4-year trial before a decision is made to convert permanently to HOT lanes or revert back to the HOVL system. The majority of the current HOVL system does not have the capacity to "sell," in turn it may not be feasible or serve any benefit to convert these into HOT lanes. As noted in our comments on T-2030, significant additional operational analysis is needed to determine the feasibility of this proposed network.

3-C **Page 1.2-15, Table 1.2-7**

This table lists projects within the Tri-Valley Corridor. Two HOT lane "Vision Element" projects are mentioned. One is Project 22664 which is on I-580 from Greenville Rd to I-680. The other is Project 22666 which is the SR-84 HOT lanes in Tri-Valley. Additionally, Table 1.2-14 (which lists projects in the Sunol Gateway Corridor) includes Project 22064, a financially constrained element project. It is described as "Convert SB HOV lane on I-680 between Rte 84 and Rte 237 to HOT ln." Three routes were listed for Alameda County. Current legislation (AB2032) regarding HOT lanes allows two designated routes each for Alameda and Santa Clara Counties. Alameda CMA is currently studying a FAIR lane (a form of HOT land) concept for Interstate 580. Caltrans is not aware of HOVL lane plans for SR 84.

3-D **Page 1.2-11, Figure 1.2-6, Transportation 2030 Plan Corridors.**

Only a section of the State Route 12 Corridor is highlighted in this figure. Based on the high amount of freight and interregional traffic along this entire corridor (U.S. 101 to I-5), the section between I-80 and the Rio Vista Bridge should also be acknowledged.

3-E **Page 1.2-17, Figure 1.2-8, North Bay East-West Corridor.**

Project #2 (Rte 12/Rte 29/Rte 121 intersection imprvts) is shown in the wrong location. This project, also known as the Carneros Interchange Project, is located along SR 12/SR 29/SR 121 where SR 29 and SR 12/SR 121 diverge.

3-F ***Section 2.1 Transportation***

Page 2.1-11 (Table 2.1-9)

This table notes that in the Year 2000 that approximately 300 freeway miles of HOVL were in existence. Our HOVL report indicates that there were approximately 260 lane miles.

3-G There are no references to improvements on local arterials (parallel to freeways/highways) that would improve freeways/highways traffic conditions particularly where LOS F is expected.

3-H We believe that not enough emphasis has been given to providing information to motorists, such as expansion of HAR (highway advisory radio), CMS, camera's etc. or improving transit region-wide by improved coordination between different county transit systems, universal transit ticket, etc.

3-I ***Section 2.2 Air Quality***

Because of the discrepancy in the HOT lane occupancy being 2+ or 3+, we have some uncertainty about the validity of the air quality analysis findings.

3-J ***Section 3.1 Alternatives to the Project***

Page 3.1-4, first paragraph, line 7

This section states that "Vehicle occupancy rates for carpools/vanpools were increased to 3+ persons on all HOV lanes to create capacity for the new HOT lanes...MTC would need Federal and State legislative permission to implement the comprehensive HOT network envisioned in this alternative." This statement seems contradictory to the statement made in the Executive Summary on page 5 (first bullet.)

3-K Additionally, the implementation of the comprehensive HOT lane network envisioned in this alternative must be based on detailed operational/capacity analysis to show that it can work. Assuming 3+ on all HOV lanes would require substantial additional analysis and is an example of the need for further technical work on this proposal. There are also clear but unaddressed policy implications to this proposal that are yet to be considered.

3-L Because of the discrepancy in this document concerning vehicle occupancy on the HOT lane network, the information between pages 3.1-11 and 3.1-19 (including tables 3.1-3 through 3.1-9), regarding transportation impacts/comparison is of concern. The transportation impacts and quantitative figures on these tables relies on a determination of vehicle occupancy. The same applies to Table 3.1-24 on page 3.1-39, the Summary of Alternatives Comparison.

3-M Table 3.1-24 the second paragraph on page 3.1-17 (which discusses Table 3.1-9 in detail) states that "Comparing between alternatives, all result in higher vehicle miles traveled at LOS F for all facility types compared to the proposed project. One exception is the Financially Constrained plus HOT alternative, which reduces vehicle miles traveled at LOS F on expressways and arterials by 9.5 percent compared to the Proposed Project; this is likely because more auto users are taking advantage of the freeway HOT lanes."

If the HOT lanes require 3+ vehicle occupancy, there would be more vehicles on the mixed flow lanes. The 9.5% reduction on the expressways and arterials is questionable, because it would be more likely that mixed flow traffic would shift to expressways and arterials. Thus, we question this conclusion.

3-N ***Appendix C: Project Listings for the Transportation 2030 Plan and Alternatives***

Page C-15 shows Project 22016 under the corridor "Region," and investment type of "Vision Element" and describes the project as various HOV lane gap closures to complete the HOV/HOT network. Does Project 22016 cover the additional 500 lane miles of HOT lanes? A map is needed to show this project. Many of the other Vision Element projects are mapped by corridor name at the beginning of the DEIR.

Thank you again for the opportunity to review this important Transportation Planning document. We look forward to receiving the Final Transportation 2030 EIR once it is

completed. If you have any questions regarding this letter, please contact Stephen H.Yokoi, AICP of my staff at (510) 286-5621.

Sincerely,

BIJAN SARTIPI
District Director

By

DANA COWELL
Deputy District Director
Planning & Local Assistance

SOUTHERN CALIFORNIA

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December 14, 2004

Letter 4

Ms. Ashley Nguyen
EIR Project Manager
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607-4700

RE: **Comments on the Draft Environmental Impact Report for the Transportation 2030 Plan for the San Francisco Bay Area – SCAG No. I 20020607**

Dear Ms. Nguyen:

Thank you for submitting the **Draft Environmental Impact Report for the Transportation 2030 Plan for the San Francisco Bay Area** to SCAG for review and comment. As areawide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

4-A We have reviewed the **Draft Environmental Impact Report for the Transportation 2030 Plan for the San Francisco Bay Area** and have no comments at this time. Should there be a change in the scope of the proposed Project, we would appreciate the opportunity review and provide comments at that time.

A description of the proposed Project was published in SCAG's November 16 – 30, 2004 Intergovernmental Review Clearinghouse Report for public review and comment. If you should have any questions, please contact me at (213) 236-1867. Thank you.

Sincerely,

JEFFREY M. SMITH, AICP
Senior Regional Planner
Intergovernmental Review

bcdc
Making San Francisco Bay Better

Letter 5

December 28, 2004

Ashley Nguyen, Project Manager
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607-4700

SUBJECT: Draft Transportation 2030 Plan for the San Francisco Bay Area and Draft Environmental Impact Report.

Dear Ms. Nguyen,

The San Francisco Bay Conservation and Development Commission ("BCDC") appreciates the opportunity to review and comment on the proposed Transportation 2030 Plan for the San Francisco Bay Area and the accompanying Draft Environmental Impact Report ("DEIR"). Although our Commission has not had the opportunity to review the plan or the DEIR and therefore these are staff comments, they are based on BCDC's law, the McAteer-Petris Act, and the provisions of its *San Francisco Bay Plan* ("Bay Plan").

As a permitting authority along the San Francisco Bay shoreline, BCDC is responsible for granting or denying permits for all Bay filling or dredging within the Bay and for shoreline development that occurs within BCDC's jurisdiction, which is defined in the McAteer-Petris Act as 100 feet landward of and parallel to the shoreline of the Bay. BCDC's regulations also require that proposed projects provide the maximum feasible public access to the Bay and its shoreline. An essential part of BCDC's regulatory framework is the Commission's Bay Plan and the *Suisun Marsh Protection Plan.* Projects approved by BCDC must be consistent with the McAteer-Petris Act and the provisions of the Bay Plan. In the Suisun Marsh, projects in the primary management area (generally the waterways and managed wetlands) require a marsh development permit from BCDC and must be consistent with the Bay Plan, the Marsh Act and the Suisun Marsh local protection program.

Additionally, the Bay Plan includes priority land use designations for certain areas around the Bay to ensure that sufficient areas around the Bay are reserved for important water-oriented uses such as ports, water-related industry, parks, wildlife areas, tidal marshes and salt ponds and managed wetlands. With respect to transportation, the Bay Plan includes findings and policies pertaining to transportation projects that identify the issues that BCDC applies when reviewing such projects. Transportation projects are also reviewed to determine consistency with the other relevant findings and policies within the Bay Plan (e.g., dredging, tidal marshes and tidal flats, recreation).

Given the potential for adverse impacts that transportation projects can have on Bay resources when located along the Bay shoreline or in the Bay, it is important that the planning and design of these facilities is done in a way that both protects and enhances the Bay as a regional resource, while ensuring the viability of a safe and efficient transportation system

for the Bay Area. While there are a number of projects listed in the DEIR that may have specific impacts on Bay resources, the purpose of this letter is to comment on the plan and the DEIR and not the projects listed within. However, for projects located within BCDC's jurisdiction, it is important for project proponents and sponsors to contact BCDC during the project planning phase in order to identify impacts to Bay resources early enough in the planning process to avoid and mitigate impacts to these resources. Staff has the following comments on the plan and the associated DEIR.

Comments on the Draft Transportation 2030 Plan for the San Francisco Bay Area. BCDC strongly supports the Metropolitan Transportation Commission's ("MTC") commitment to improving the relationship between land-use and transportation planning in the Bay Area. By using the Association of Bay Area Government's Projections 2003 forecast, MTC is attempting to carry the efforts of the regional Smart Growth Project forward towards implementation. The 2030 plan's focus on strategic expansion and programs that provide incentives for infill and transit-oriented development are a great start and a welcome shift away from transportation plans of the past. BCDC particularly supports the inclusion of regional funds for filling gaps in the bicycle plan network and for improving pedestrian facilities. Historically, transportation plans and projects have planned almost exclusively for the movement of the automobile, often making mobility by any other means difficult and unsafe. By providing funding for pedestrian and bicycle networks, expanding funding for the Transportation for Livable Communities and Housing Incentive programs, developing policies for supportive land-use plans around new transit lines through Resolution 3434 and developing community-based transportation plans to increase mobility in low-income communities, the 2030 plan attempts to provide a better balance.

5-A **Comments on the Draft Environmental Impact Report.** The section of the DEIR that describes the settings, impacts and mitigation measures for the projects within the plan does not appear to adequately address the localized impacts that transportation projects can have at the neighborhood level. Historically, the impacts of transportation projects such as increased noise, degraded air quality and the fragmentation of neighborhoods have been unequally distributed within the Bay Area. The DEIR does not appear to address the often unequal burden that these impacts have on different neighborhoods throughout the Bay Area. A discussion should be included that describes this unequal burden and the mitigation measures that could be used to address any inequalities that may arise due to the placement of a transportation project in a particular neighborhood.

5-B **Short term impacts on land uses.** The temporary impacts that transportation projects have on public access to and along the Bay should be included within Section 2.3(b) on page 2.3-28. Transportation projects often create significant disruptions to existing public access and open spaces during construction. A mitigation measure should be included in this section to address these potential impacts.

5-C **Permanent community disruption.** The mitigation measures recommended in Section 2.3(d) and 2.3(e) to address impacts to communities should be combined to encourage project sponsors to consider incorporating traffic calming and alternative transportation initiatives such as paths, trails and overcrossings into the design of transportation projects. Currently, the mitigation measures state only that MTC shall continue to support locally sponsored projects that include these initiatives. However, if MTC encouraged project sponsors to include these components in the design of transportation projects, there would be less need for localities to address transportation impacts at a later date and transportation projects could improve mobility and significantly reduce impacts to neighborhood connectivity and safety.

5-D **San Francisco Bay aquatic resources.** Within the section of the DEIR that describes biological resources, there is a discussion on page 2.8-11 of impacts to San Francisco Bay aquatic resources. Although the section describes the impacts that bridges may have to in bay ecological resources, it does not discuss the impacts that new and more frequent ferry service may have on aquatic resources. Such impacts include the disturbance of rafting birds and harbor seals, the striking of marine mammals and the destruction or disturbance to eelgrass beds. While these impacts were covered in the Water Transit Authority's EIR for increased ferry service, the section of this DEIR that discusses impacts to San Francisco Bay aquatic resources should include a brief description of these potential impacts.

5-E **Visual resources.** Past transportation projects have resulted in significant barriers to physical and visual public access. In the case of some transportation projects, the visual impacts to public views of the Bay have been a significant and predominant issue. For this reason, the visual resources section of the DEIR should include impacts to visual access to the Bay as part of the significance criteria in the impact analysis section.

5-F **Appendix F, relevant State regulations and agencies.** In Appendix F, the sections that describe the State Regulations and the State Agencies Responsible for Managing Biological Resources include the California Coastal Act and the California Coastal Commission. The McAteer-Petris Act, the Suisun Marsh Preservation Act and the San Francisco Bay Conservation and Development Commission should also be included in these sections. BCDC's authority and jurisdiction are described in the second and third paragraphs of this letter and BCDC is the coastal management agency with permitting authority for projects within the San Francisco Bay and along the Bay's shoreline. The California Coastal Commission's permitting authority begins west of the Golden Gate (Point Bonito to Point Lobos). The Bay Plan includes several sections that pertain to the protection of the Bay's ecological resources, including findings and policies for tidal marshes and tidal flats, fish, other aquatic organisms and wildlife and subtidal areas.

Thank you again for the opportunity to review and comment on the Transportation 2030 Plan for the San Francisco Bay Area and the associated DEIR. If you have any questions please contact me directly at (415) 352-3642.

Sincerely,

LINDY L. LOWE
Coastal Planner

J Chan Goodwin

January 7, 2005

Steve Heminger, Executive Director
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

Letter 6

Subject: Draft Transportation 2030 Plan for the San Francisco Bay Area and Draft Environmental Impact Report (DEIR)

Dear Mr. Heminger:

Bay Area Air Quality Management District (District) staff have reviewed the Draft Transportation 2030 Plan for the San Francisco Bay Area and the associated Draft Environmental Impact Report (DEIR) and are providing comments on both documents.

Comments on the Draft Plan:

The District commends MTC for including in the Draft Plan goals, objectives, policies, and key measures of progress to improve air quality. In particular, the Livable Communities and Clean Air goals are well supported by their related objectives and policies. In addition, the Transportation/Land-Use Policy Platform initially approved by the Commission in December 2003 and expanded upon in the Draft Plan is very important in improving the coordination between transportation, land use and air quality planning in the Bay Area. We support the adoption and ongoing implementation of the Transportation/Land-Use Policy Platform. We also commend MTC for including in the Draft Plan associated projects and programs that improve air quality such as those called out on page 49 to implement Spare the Air Day strategies, scrap older, more polluting vehicles, and reduce particulate matter (PM) from heavy-duty vehicles and buses.

To improve the transparency of the Draft Plan, the District recommends that each project in Appendix One be linked to one or more goals, and where appropriate, to corresponding transportation control measures (TCM). The District further recommends that the Draft Plan highlight the TCMs and more explicitly link the Draft Plan and air quality plans. The New Strategies for Cleaner Air section (pages 48 and 49) should clearly state that the Draft Plan plays a key role in implementing the TCMs contained in Appendix Three through projects and programs proposed for funding.

The District supports MTC's inclusion of "clean air" as a goal of the Draft Plan (page 19) and encourages MTC to include reducing emissions of greenhouse gases as one of the clean air objectives. A preponderance of evidence demonstrates that the Earth's climate is changing at an unmatched rate and that this change is largely due to burning fossil fuels. In September 2004, the California Air Resources Board (ARB) approved a landmark regulation to reduce greenhouse gas emission from motor vehicles. This

regulation is a strong indicator of the State's commitment to address climate change and acknowledgement of the large contribution motor vehicles make to the State's greenhouse gas emission inventory. The responsibility to reduce greenhouse gas emissions from motor vehicles does not reside solely with the ARB, as suggested in the Draft Plan (page 49). Regional and local transportation planning efforts can also play a role in reducing these emissions. While the ARB regulation sets greenhouse gas emission standards for on-road motor vehicles, the TCMs and land use programs encouraged in the Draft Plan reduce greenhouse gases by reducing vehicles trips and vehicle miles traveled (VMT). Draft Plan measures to reduce vehicle trips and VMT should be recognized in the Draft Plan for their important role in accomplishing this vital objective of reducing greenhouse gas emissions.

We commend MTC for recommending increased funding in the Draft Plan for alternative modes of transportation, such as walking and bicycling. The projects and programs outlined in the "Walk and Roll!" Calls to Action section (page 58) are excellent. We encourage MTC to include in this section a Safe Routes to Transit Program that would make explicit that providing safe and convenient bicycle and pedestrian access to transit is a key objective of the Draft Plan. Furthermore, the percentage of funding proposed for bicycling and pedestrian projects is still substantially less than their mode shares and is a small fraction of the total budget. According to the Draft Plan (page 56) approximately $845 million of the total budget of $113 billion would potentially be available for funding bicycle and pedestrian projects, or less than 0.75% of the budget. In contrast, the DEIR (Table 2.1-8) indicates that in the year 2000, bicycling and walking constituted 10.8% of total trips. The District agrees with the finding in the Draft Plan (page 56) that, "Despite the uncertainty over the ultimate price tag for the Bay Area bicycle and pedestrian facilities, it is clear that available resources fall far short of meeting the region's needs." A key federal requirement of this planning process, as stated in the first bulleted item on page 2.1-5 of the DEIR, requires MTC to "seek out and consider the needs of those traditionally under served by existing transportation systems," such as pedestrians and bicyclists. As greater emphasis is placed on developing higher-density, transit-oriented development, these modes of transportation will become increasingly important to provide mobility and avoid traffic congestion in these centers. Walking and bicycling are also entirely non-polluting forms of transportation. For these reasons the District believes that funding for bicycle and pedestrian projects should be substantially increased.

The District supports MTC's three-fold increase in the funding of the Transportation for Livable Communities/Housing Incentive Program (TLC/HIP). Recognizing the importance of the link between transportation, land use and air quality, we commend MTC for continuing to develop and expand the program elements and make them even more effective. Increased funding for Smart Growth in conjunction with increased funding for environmentally benign forms of transportation, such as bicycling and walking, are significant steps that can reduce vehicle trips and the harmful emissions associated with them, e.g., PM and greenhouse gas emissions. They are air pollutants of particular concern.

The District understands the financial and political constraints that MTC works under in the development of the Draft Plan, and we believe that the Draft Plan makes great progress in moving the Bay Area in the proper direction in terms of coordinating transportation, land use and air quality. However, we are concerned that the projected substantial increases in vehicle trips

and VMT will not only result in a significant deterioration in our transportation system but may also have deleterious affects on air quality (as discussed below in our comments on the DEIR). We encourage continued creativity and resourcefulness in identifying ways to strengthen the many beneficial transportation, land use and air quality efforts proposed in the Draft Plan.

Comments on the DEIR:

6-A The District is concerned that the projected continued growth in traffic would have negative consequences for emissions of fine PM and greenhouse gases (particularly carbon dioxide, or CO_2). Tables 2.1-8 and 2.1-13 of the DEIR provide transportation trends that are projected as a result of growth in the Bay Area: daily vehicle trips increasing by 37%, VMT increasing by 40%, daily vehicle hours of delay increasing by 103%, and facilities operating at Level of Service (LOS) F increasing by 92%. By comparison, the total population of the region is projected to increase by 29% over the time period of the Draft Plan (Table 2.1-7). Thus, the increases in VMT and vehicle trips indicate an overall increase in the rate individuals will be driving. Reducing vehicle trips and VMT will likely be critical to regional efforts to reduce emissions of CO_2 and fine PM.

6-B We believe that the DEIR should discuss in greater detail the increasingly important link between greenhouse gas emissions, climate change, transportation and land use. An expanded discussion and impact analysis of climate change could be contained in the Energy or Air Quality sections of the DEIR, but should be cross-referenced between these two sections. As noted in the DEIR (page 2.4-5), transportation accounts for 40 percent of the CO_2 emitted in California, significantly higher than the national average of 33 percent. Various cities and counties in the Bay Area have begun efforts to reduce emissions of greenhouse gases. Local governments are becoming increasingly aware of the impact increased VMT and vehicle trips have on greenhouse gas emissions and are taking action to address theses issues through land use and transportation programs. Impact 2.4-1 identifies increased energy use associated with the Proposed Project as a significant unavoidable impact. The District recommends that the DEIR more fully address the associated increase in greenhouse gases resulting from the Proposed Project due to projected increases in VMT and vehicle trips.

6-C The DEIR concludes that the Proposed Project would have a significant air quality impact in regards to fine PM emissions (page 2.2-20). The projected increases in VMT for the Proposed Project compared to the current conditions result in a large increase in fine PM emissions, 34.7% for PM_{10} and 25.1% for $PM_{2.5}$ (Table 2.2-9). The District is very concerned regarding the projected increases in fine PM projected over the timeframe of the Draft Plan because these pollutants are known to have serious public health impacts including asthma attacks, hospitalizations, premature death and cancer. In addition, fine PM emissions from diesel engines is of particular concern as it has been identified by ARB as a toxic air contaminant.

6-D The District is also concerned that the Proposed Project results in less pedestrian and bicycle trips than the No Project Alternative (Table 2.1-8). This calls into question whether the funding of the Smart Growth land use elements and pedestrian and bicycle projects in the Draft Plan are having the desired effect, or whether additional resources are needed to increase these modes of transportation as recommended in the earlier comments on the Draft Plan.

6-E We commend MTC for evaluating the TRANSDEF alternative. The DEIR analysis of this alternative shows that land use and pricing strategies help to reduce vehicle trips, VMT and air pollutant emissions. While the Draft Plan makes great strides in this direction, we urge MTC to continue to move aggressively in pursuing land use and pricing strategies to further enhance alternatives to driving alone. In the long term the District believes that alternatives that promote smart growth and pricing strategies will ultimately benefit transportation as well as air quality.

If you have any questions about these comments please contact Joseph Steinberger, Senior Environmental Planner, at (415) 749-5018.

Sincerely,

Jack P. Broadbent
Executive Officer/APCO

JPB:JS
cc: BAAQMD Directors
Catherine Witherspoon, ARB
Wayne Nastri, USEPA
Henry Gardner, ABAG

NATURE SAVER™ FAX MEMO 01616	Date 1/13/05	#of pages ▶
To Ashley Nguyen	From Joe Steinberger	
Co./Dept. MTC	Co. BAAQMD	
Phone #	Phone # 415 749-5018	
Fax # 510 464-7848	Fax #	

City of Alameda • California

Letter 7

December 16, 2004

Ashley Nguyen
EIR Project Manager
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

Subj: Comments on the Draft Environmental Impact Report for the Transportation 2030 Plan for the San Francisco Bay Area

Dear Ms. Nguyen:

7-A The City of Alameda would like to thank you for the opportunity to comment on the Draft Environmental Impact Report for the Transportation 2030 Plan for the San Francisco Bay Area. The City of Alameda has on comment on the document. On Page 1.2-46, **Table 1.2-14 Transbay Corridors,** the cumulative impacts from interregional traffic on local streets near ferry terminals need to be analyzed and considered for Project 225009: Alameda/Oakland to San Francisco ferry service and Harbor Bay to San Francisco ferry service and for Project 22120: Ferry service from Redwood City to San Francisco to Alameda.

If you have any questions, please feel free to contact the Barbara Hawkins, Supervising Civil Engineer at (510) 749-5863.

Sincerely,

Greg Fuz
Planning and Building Director

xc: Public Works Director

G:\PLANNING\ENVIRREV\CORRES\DEIR Comments - 2030 Transportation Plan.doc

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CONTRA COSTA TRANSPORTATION AUTHORITY

Letter 8

December 27, 2004

Ashley Nguyen, EIR Project Manager
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

Re: Authority Comments on Draft Environmental Impact Report for the Transportation 2030 Plan for the San Francisco Bay Area (SCH No. 2004022131)

Ashley

Dear Ms Nguyen:

1

Generally, we found the above referenced EIR to be a reasonable and comprehensive assessment of the impacts of the adoption of the Transportation 2030 Plan. We do, however, have significant observations regarding the alternatives analyzed as well as some more technical comments on the analysis in the DEIR.

THE ALTERNATIVES ANALYSIS

The DEIR defines the "project" analyzed as the adoption of the Transportation 2030 Plan, including both *existing and new commitments* and *the vision element.* The bulk of the DEIR analyzes the effects of the whole T2030 Plan, both the financially constrained and vision element taken together. While this is different from the approach taken in the EIR on the 2001 Regional Transportation Plan (2001 RTP), it is not necessarily improper.

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Executive Director

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8-A Our observations concern the definition of alternatives. Page 3.1-3 accurately notes that, under the CEQA Guidelines, alternatives must outline feasible ways of reducing the environmental impacts of the project while still achieving the project's objectives. We are not convinced, however, that any of the alternatives analyzed — other than the required No Project alternative — meets these CEQA requirements.

8-B Alternatives 2, 3 and 4

Three of the five alternatives — the Financially Constrained Plan Alternative (Alternative 2), the Financially Constrained Plan Plus Sales Tax Alternative (Alternative 3), and the Financially Constrained Plan Plus HOT Lane Alternative (Alternative 4) — are

8-B (cont.) financial alternatives rather than options that might reduce the potential environmental impacts of the project. While in fact the later two might reduce environmental impacts, they are clearly described as subsets of the project that vary "depending on the financial assumptions." (Page 3.1-6) They appear to have been included in the DEIR to evaluate different components of the project, rather than embodying ways to reduce the environmental impacts of the project. MTC, if it is to treat these subsets of the plan as real CEQA alternatives, needs to describe how these alternatives are designed to reduce the significant impacts identified in Part 2 of the document.

We understand and appreciate that MTC has included these subsets of the project partially as a way to explicitly evaluate them as part of the CEQA document — and thus to "clear" them. In that context, we suggest that they could be more appropriately evaluated in Part 2 rather than in Part 3.

8-C **The TRANSDEF Alternative**

It is clear from the description of the so-called TRANSDEF alternative that it does not meet the CEQA requirements for alternatives. Although it seems to focus on ways of reducing the environmental impacts of the project, *it is clearly not feasible* and is thus not appropriate as an alternative. This alternative is infeasible in several ways:

1. The TRANSDEF alternative proposes to modify or eliminate projects that are already committed, and over which MTC has little or no authority. This is especially true for projects to be funded using funds from the various county sales tax measures. Many, if not most, of those projects were specifically named in the sales tax measures and sales tax authorities are unlikely to or prohibited from eliminating those projects. Our Authority fully intends to pursue all of the projects outlined in both our current and new measure, including the projects eliminated in the TRANSDEF alternative such as the Caldecott Tunnel and the widening of State Route 4. In addition, this "alternative" eliminates projects being developed as part of land development projects, such as the construction of Windermere Parkway and the extension of Bollinger Canyon Road (which are either under construction or already completed), and projects being funded through transportation fee programs, such as the State Route 4 Bypass and Laurel Road extension, and which are part of specific development agreements. In any case, the decision to eliminate them is not within MTC's powers.

2. The TRANSDEF alternative proposes several pricing strategies that MTC does not have the power to carry out. BART has the responsibility for setting parking charges at its stations, not MTC, and individual employers or building owners may choose to institute parking cash-out programs.

8-C (cont.)

3. The TRANSDEF alternative proposes a significantly different pattern of land uses than outlined in *Projections 2003*. According to the DEIR, the TRANSDEF land use assumptions correspond to the "network of neighborhoods" alternative in the ABAG-MTC "livable footprint" process. *Projections 2003*, unlike ABAG's previous forecasts, tries to balance the policy recommendations of the "livable footprint" with the development trends in the Bay Area. It will not be clear for many years whether such an approach is a good idea or not — and whether it can have any impact on actual development patterns. Certainly, the forecasts depend on the willingness of local jurisdictions to modify their general plans, implementing regulations, and a market for those forecasts to occur. Whether this happens is up to local jurisdictions and economic forces, not MTC or ABAG. The TRANSDEF alternative goes even further, assuming much more significant changes that again are up to local jurisdictions to make.

The TRANSDEF alternative could be useful as part of a study of how well different land use and transportation approaches might be in improving mobility within the region, especially if MTC included other approaches that were equally drastic but that might have potential benefits to recommend them. The TRANSDEF alternative is not, however, feasible for MTC to implement and thus should not have been included in the DEIR.

8-D In addition, we are curious about how the analysis operationalized the "widespread ramp metering" assumed in the alternative. While ramp metering can, in the right situation, improve traffic flow on freeways with minimal impacts on adjoining local streets and arterials, our analysis of the potential use of ramp metering on I-680 found that, at least along that freeway, ramp metering resulted in a minor and short-lived improvement in traffic flow unless ramp metering was allowed to create significant backup on local streets. A blanket assumption in the modeling of this alternative that it would produce increased traffic flow on freeways with no affect on adjoining streets would therefore be unwarranted.

SPECIFIC COMMENTS

8-E **Page 1.2-24**

We are not sure whether the list of projects is meant to be comprehensive or merely representative, but Project 21139, the Vasco Road safety improvements, is missing. Others may be as well.

8-F **Page 2.3-1**

The DEIR characterizes the Bay Area as "primarily agricultural" prior to World War II. This statement is misleading. The majority of the population in the Bay Area has lived in urban areas since at least 1870, and not just in San Francisco. The East Bay cities of Oakland, Berkeley and

8-F (cont.) Alameda were home to at least a third of those living in cities by 1910, and the Peninsula had a number of towns before World War II from which workers (though primarily managers) commuted to jobs in San Francisco. The pattern of long distance commuting was established in the Bay Area long before the suburban boom that followed World War II. In addition, the Bay Area had a number of "factory ports" strung along the Bay prior to World War II, including Rodeo (previously known as Oleum), Hercules, Crockett, Pittsburg and Redwood City.

Given these examples, it is inaccurate to characterize the Bay Area as "primarily agricultural" before World War II.

8-G **Page 2.3-9–2.3-11**

This section does a good job of summarizing relevant research on the link between land use and transportation as well as the reasons why changes in accessibility are having increasingly marginal impacts on the locational decision-making. The statement, however, that "the introduction of the automobile and freeway systems allowed the expansion of residential and commercial development into formerly rural areas and led to the creation of a multi-centered Bay Area" may be too simple. The automobile wasn't behind the conversion of rural lands — that process occurred first with the introduction of rail and trolley lines — but the planners, designers and developers of the relatively low density suburban developments that began to be built in the late 1930s assumed that the automobile would be the primary mode of transportation. That lower-density suburban development predated, in almost all cases, the development of freeways that would serve the drivers who lived in them. While it is hard, if not impossible, to disentangle their influences, it as likely that growth itself (and relative land values) played a more important role in the creation of the "multi-centric" Bay Area we see today than did transportation improvements.

8-H **Page 2.3-14**

It is hard to evaluate whether the analysis in Table 2.3-14 is accurate without knowing what specific projects are being counted.

8-I **Page 2.4-10**

While it is true that the DEIR focuses on pollution generated by the use of petroleum products to generate energy for transportation, the discussion of global warming and CO_2 emissions seems misplaced as part of the discussion of energy impacts. We suggest that it be included in the air quality section.

8-J **Page 2.5-22 *et seq.***

In Table 2.5-7, the project IDs and corridors don't match the project descriptions.

8-K **Page 2.7-16**

We do not believe that the extension of the southbound HOV lanes on I-680 between N. Main and Livorna (Project 22353) are within the 100-year floodplain. The project would be built on or adjacent to existing roadway well above the surrounding area and would cross Las Trampas Creek using the existing bridge structure.

8-L **Page 2.8-2**

We question whether the SR 4 Bypass-to-SR 160 connectors (Project 98222) and the I-680 auxiliary lanes between Sycamore and Crow Canyon (Project 22602) should be included in this table. The former would occur within existing freeway and reserved highway rights-of-way in an area not in or adjoining wetlands. The latter would also occur within existing rights-of-way and not involve expansion into wetland areas. Although the project may cross creeks, it would be unlikely to require significant expansion of culverts or bridges.

8-M **Page 2.9-10 *et seq.***

We question whether the southbound extension of HOV lanes on I-680 between N. Main and Livorna (Project 22353) should be identified as having a potentially significant visual impact. The project would, as noted above, occur within the existing right-of-way immediately next to the median barrier and would be beneath the flyover connectors between I-680 and SR 24.

More significantly, we question the criterion of "increased visual contrast" and whether it has been or can be applied objectively. While the southbound SR 160-to-eastbound SR 4 Bypass flyover could reasonably be found to increase "visual contrast", it is harder to say that the I-680 or SR 24 auxiliary lanes would do so. We also suggest that the increased visual contrast resulting from the fourth bore at the Caldecott Tunnel would not be a significant increase, as the area for the portals is clearly available and the project calls for only matching existing lane configurations. The analysis should focus on *significant* increases, not *any* increases.

8-N **Page 2.11-4 *et seq.***

The chapter on growth-inducing impacts contains a discussion of the so-called "jobs-housing balance". We question both some of the statements made in that discussion and the relevance of the discussion to the issue of growth that might be induced by the adoption of the Transportation 2030 Plan.

8-N (cont.) On page 2.11-5, the DEIR states that "[j]obs/housing balance is based on the premise that commuting, the overall number of vehicle trips, and the resultant vehicle miles traveled can be reduced when sufficient jobs are available locally to balance the employment demands of the community and when commercial services are convenient to residential areas." While worded somewhat opaquely, this statement generally reflects the reasons why communities and transportation planning agencies have been interested in more closely matching employment opportunities within an area to the skills of workers living there. Note, also, that numerical jobs/housing balance is no panacea — for example, Pleasanton has more jobs than workers, yet "70 percent of employed residents still leave that city to work elsewhere."[1]

Other statements in this section of the DEIR are more subjective. Also on page 2.11-5, the DEIR states that "[g]rowth-inducing potential can be affected at the local and corridor level by changes in the jobs/housing balance as local communities change General Plans and zoning and developers respond to perceived opportunities where there is an imbalance." And on page 2.11-6, the DEIR states that such an imbalance "can result in growth inducement as local officials and developers take actions to add non-residential land uses and increase the job base." In other words, the DEIR is asserting that the mere existence of an imbalance between the number of jobs in an area, however defined, and the number of employed residents will ineluctably lead developers and local agencies to take actions to add jobs or housing to bring that area into balance. While historically in America jobs have grown in the suburbs, we are not sure whether there is any evidence for this specific assertion of causality. Many factors have contributed to the evolution of the urban and suburban fabric. Perhaps more basically, this assertion appears to turn a policy goal — one that has not been universally accepted by policy makers and certainly cannot be considered without significant caveats — into a perceived market force. The EIR's contention is speculative at best.

On page 2.11-10, the DEIR states that transit investments may encourage infill, that this infill may improve the balance between jobs and employed residents, and that such "jobs/housing balance...acts as a deterrent to urban sprawl and regional growth inducement outside of urban areas." This chain of causality is true only if one believes that infill will necessarily result in an improved jobs/housing balance — one where nearby job opportunities match the skills of nearby residents; and that such urban evolution will lessen the pressure on suburban expansion. This, too, is speculative: it will not necessarily have those results.

Even if one were to accept the premise that imbalances between jobs and housing is a primary factor to induce growth in areas where such imbalances occur, it is unclear how that relates to the

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[1] Contra Costa Transportation Authority, "Looking to the Future," p.11 (February 1999).

8-N (cont.) question the DEIR must answer, namely: "the ways in which the proposed Transportation 2030 Plan could generate population and employment growth beyond levels currently anticipated in regional and local plans." (Page 2.11-1)

Thank you for the opportunity to comment on the above referenced draft EIR. If you have any questions, please contact Brad Beck of our staff.

Sincerely,

Robert K. McClear

Robert K. McCleary
Executive Director

CC Doug Kimsey
Martin Engelmann
Brad Beck

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ALAMEDA COUNTY
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Letter 9

January 3, 2005

Steve Heminger
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA

Subject: Comments on Transportation 2030 Draft EIR

Dear Mr. Heminger,

We have reviewed the Draft Environmental Impact Report prepared for the Draft Transportation 2030 Plan. Comments on the Draft Transportation 2030 Plan will be transmitted separately.

The draft document includes analyses of five alternatives: the No Project, Financially Constrained; Financially Constrained plus Sales Tax alternative; Financially Constrained plus HOT Lane Network and the TRANSDEF Smart Growth Alternative. The TRANSDEF alternative is included per the Settlement Agreement and Release entered into by the BAAQMD, CBE, and MTC.

9-A The basic network in three of the alternatives is consistent with the 2004 Countywide Transportation Plan. The TRANSDEF alternative is not.

The TRANSDEF alternative includes pricing strategies at particular BART stations and parking charges at all employment sites and a reduction in transit fares. There is no clear authority by MTC to impose the parking charges. BART may impose charges at various stations while local jurisdictions may have very limited authority to impose parking charges at developed employment sites.

TRANSDEF'S land use assumptions are not consistent with Projections 2003 adopted by the regional planning agency, ABAG. Both MTC and the CMA are required by statute to use ABAG's projections. In addition, TRANSDEF's land use assumptions are not consistent with local general plans thus making the alternative infeasible without approval of general plan amendments throughout the Bay Area. It is unknown whether the land use assumptions are valid given the uncertainty of the outcome of the general plan amendment process including local public review.

9-A (cont.) The Alameda County network included in the TRANSDEF alternative is particularly troublesome. The following projects included in the CMA's adopted 2004 Countywide Transportation Plan, ACTIA's Measure B Expenditure Plan and Regional Measure 2 were excluded from the network:

I-880/Route 92 Interchange	I-580/Vasco Road interchange improvements
Washington/Paseo Padre Grade Separation	WB Route 84 HOV lane extension from Newark Blvd. to I-880
Scarlett Drive Extension in Dublin	SB 84 HOV on ramp from Newark Blvd
Express Bus South Improvements including park and ride, HOV improvements and rolling stock	I-680 widening to accommodate HOV/HOT Lane
I-880/262 interchange reconstruction and widen I-880 from Rte 262 to Santa Clara County line	Widen Rte. 84 to 6-lane parkway from I-880 to Paseo Padre and 4-lane parkway from Paseo Padre to Mission Blvd.
I-580/Isabel Interchange improvements	Union City Intermodal infrastructure improvements
BART-Oakland Airport connector	BART extension to Warm Springs
Upgraded bus service in Dumbarton corridor	I-80/Gilman interchange improvements
I-580 Corridor Improvements in the Tri-Valley	NB I-680 HOV lane
Route 238 improvements in Hayward	Increased ferry service
Rte 84 widening in Livermore	Rte 262 widening from I-880 to Warm Springs Blvd.
ACE Station/track improvements	

Other roadway projects included in local capital improvement programs were also deleted from the network.

The TRANSDEF alternative added 2 interchange/connector projects ("I-580/I-238, Mission by Jackson and Foothill") and widening of the Rte. 92 bridge to four lanes over I-880. The following Alameda County transit projects were added: BRT in Livermore, Pleasanton, Oakland Airport and Cal State Hayward and a new high speed rail line using the Altamont Pass. These projects are not included in the CMA Countywide Transportation Plan and no source of operating funds was identified for the transit services.

9-A MTC's analysis shows an increase in transit ridership, a reduction in air emissions and more access to jobs by auto and transit for the TRANDSDEF alternative in comparison to the Financially Constrained alternative. However, the TRANSDEF alternative resulted in a 24% increase in daily delay and almost a 29% increase in average delay per vehicle. The delay is primarily caused by the reduced roadway network.

The land use assumptions, MTC's lack of authority to modify land use policies and lack of authority to impose pricing strategies, the exclusion of projects included in the 2004 Countywide Transportation Plan, Measure B and Regional Measure 2 and the lack of operating funds for the increased transit service does not make this a viable alternative. This alternative does not meet the feasibility test as required by CEQA and should not be considered.

If you have any comments, please feel free to contact me at (510) 836-2560.

Sincerely,

Jean Hart
Deputy Director

Cc: Ashley Nguyen, MTC

File: Transportation 2030

Transportation Authority of Marin

Letter 10

January 7, 2005

Mr. Steve Heminger, Executive Director
Metropolitan Transportation Commission
Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607

RE: Comments on the Draft Transportation 2030 Plan and EIR

Dear Mr. Heminger:

Thank you for the opportunity to review and comment on the Draft Transportation 2030 Plan and EIR. Compliments are in order to the Commission, you and your staff for a thoughtful, comprehensive, and easy-to-read Plan that is very responsive to the regional needs and recognizes fiscal constraints and realities. The inclusive public involvement and outreach process has been outstanding.

The vision of the Plan, based on three broad strategies – Adequate Maintenance, System Efficiency, and Strategic Expansion, is clear and concise, designed to enhance mobility and improve access to schools, jobs, medical services, and other vital destinations for Bay Area residents.

The goals of the Plan – safety, reliability, access, livable communities, clean air and efficient freight travel – and their accompanying objectives and performance measures support the vision. And, for the most part, the investments and calls for action of the Plan also appear to support the vision.

Attached to this letter, you will find specific comments and suggestions prepared by TAM staff on both the Plan and EIR for consideration.

Thanks again for the opportunity to review and comment on the Plan and EIR, and if you have any question about the attached comments and suggestions, please do not hesitate to have your staff contact me at 415-499-6582 or ctackabery@co.marin.ca.us.

Sincerely,

Craig Tackabery

Executive Director

c: TAM Commissioners
TAM Staff
MTC Public Information Office
Lisa Klein, MTC
Michele Rodriguez, CDA

c/o Marin County Department of Public Works, P.O. Box 4186, San Rafael, CA 94913
Phone: 415/499-6570 – Fax: 415/499-3799 – www.marintraffic.org

Transportation Authority of Marin Comments on the Draft Transportation 2030 Plan

January 7, 2005

Pages 11-22, Goals – It is not clear how specific performance measures will be determined as part of the general "Key Measures of Progress." Where appropriate, more specificity, including how measures will be determined and their targets should be provided.

Page 34, Financial Assumptions, 6th Bullet – This bullet needs to be updated to reflect the passage of Measures A and M, Marin and Sonoma's respective transportation sales tax ballot measures.

Pages 36 and 37, Call to Action and Advocacy – A regional transportation development impact fee for regional corridor mainline facilities should be considered as a potential revenue source.

Pages 36-37, County Transportation Sales Taxes – This section needs to be updated to reflect the passage of Measures A and M, Marin and Sonoma's respective transportation sales tax ballot measures.

Pages 39-76, Calls to Action – As a general comment and observation, these suggested actions are commendable. However, at the December 2, 2004 workshop in Marin, it should be noted that participants expressed strong reservation about a proposed HOT lane network, though there was some general acceptance for the pilot program studies in other counties (page 68). Some reservation was expressed about the feasibility of implementing freeway metering lights in Marin (page 47).

Page 40, Bay Area Local Street and Road Funding by Source Chart – This chart needs to be updated to reflect the passage of Measures A and M, Marin and Sonoma's respective transportation sales tax ballot measures.

Page 56, Funding Available for Bicycle and Pedestrian Needs, 2005-2029 Chart – It is unclear whether this chart reflects the passage of Measures A and M, Marin and Sonoma's respective transportation sales tax ballot measures.

Page 58, Calls to Action, Support Safe Routes to School Programs – This action only refers to the capital grant Safe Routes to School Program administered by Caltrans. Information for this program is available at www.dot.ca.gov/hq/LocalPrograms/saferoute2.htm. This is different from the program in Marin. Information for the Marin program is available at www.saferoutestoschools.org/marin.html. The Marin effort also focuses on education and promoting alternatives to automobile use.

Page 61, Bay Area Transit Hubs Map – This map should be labeled "Existing Bay Area Transit Hubs Map." Proposed hubs for Port Sonoma (SMART / WTA), Novato (SMART / GGT), and Southern Marin – Larkspur Ferry Terminal (SMART / GGT) and either Manzanita (GGT / Marin Airporter), Marin City (GGT), or Strawberry Village (GGT) – are not shown. What are the criteria used to qualify as an existing hub on this exhibit?

Page 62, Calls to Action, Establish a Regional System of Hubs and Services – Related to the comment above, the reference to the map on page 61 should be deleted since it only maps a portion of existing hubs. The map does not represent a comprehensive, coordinated system of all proposed and existing hubs.

Page 68, HOT Network Delivers Congestion Insurance – Though we are supportive of studying the feasibility of HOT lanes for the region through pilot programs, it should be noted that there is currently no policy language for, or against, such facilities in *Moving Forward: A 25-Year Transportation Vision for Marin County*, the *2003 Marin County Congestion Management Program*, *The Marin Countywide Plan*, and the draft *Marin Countywide Plan 2004*.

Page 68, Calls to Action – The actions do not clearly support implementation of a HOT lane system throughout the region, as discussed throughout the Plan. The actions should clearly spell out logical steps for implementing a system, if found feasible through the pilot studies. The steps would identify the determination of eligibility criteria, performance measures, and facility feasibility.

Page 69, Proposed High-Occupancy / Toll (HOT) Lane System Map – The map shows a potential HOT lane from the southern terminus of our HOV lane in Mill Valley to the Golden Gate Bridge. There is no plan maintained by any jurisdiction for construction of HOV lanes south of the current terminus in Marin.

Page 71, Resolution 3434 Rail Projects Map – The map should be revised to indicate the northern terminus of the SMART project (Cloverdale) and the southern terminus of this commuter rail project (either Larkspur Ferry Terminal or San Quentin, pending environmental studies). It also should be noted that a rail extension is being studied to Port Sonoma. The SMART project is described as connecting to a San Francisco bound ferry at one of the three locations listed above.

Page 73, Resolution 3434 Bus and Ferry Projects Map – This map (and Resolution 3434) may need to be updated to reflect the WTA system funded by Regional Measure 2 funds, such as potential ferry service to Port Sonoma.

Pages 95-96, Marin County Projects – Please confirm that all Measure A programs and projects are included in the Financially Constrained Element.

Transportation Authority of Marin Comments on the Draft Transportation 2030 EIR

January 7, 2005

10-A **Alternative 2**

General Comment – Contra Costa and San Mateo Counties both passed 25-year extensions to their transportation sales taxes, while Marin and Sonoma both passed 20-year sales tax measures. With the passage of these extended and new local sales tax measures, Alternative 2 data should be updated.

10-B **Alternative 5 (TRANSDEF Smart Growth Alternative)**

Feasibility Comment – Alternatives studied in an EIR must "feasibly attain most of the basic objectives of the project but avoid or substantially lessen any of the significant effects of the project" (CEQA Guidelines, Section 15126.6[a]). "Feasible" means that the alternatives "are capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors" (CEQA Guidelines, Section 15364).

CEQA Guidelines require each EIR to identify the environmentally superior alternative among the alternatives analyzed. After the No Project alternative, the TRANSDEF alternative was found to be the next environmentally superior alternative; however, there are several issues that question the feasibility of this alternative and its ability to meet project objectives, including:

1. The TRANSDEF alternative proposes to modify or eliminate projects that are already funded, such as the US 101 / Greenbrae Interchange project funded by Regional Measure 2, which MTC has little or no authority. This is also true for many projects to be funded by various sales tax measures in the region. Sales tax authorities are prohibited from eliminating those voter-mandated projects without voter approval.

2. The TRANSDEF alternative proposes several pricing strategies that MTC does not have the power to carry out, such as parking fees at BART parking lots, eco pass programs exacted through development approvals, and private employer parking cash out programs. The employer parking cash out program alone would likely be a tremendous labor issue throughout the region. Has there been any outreach to larger union organizations to get any sense whether or not this might be possible and at what cost?

3. The TRANSDEF alternative proposes significantly different land use assumptions than those outlined in the ABAG *Projections 2003*. These land use assumptions have not been reviewed by local governments or by the public and may not be consistent with local planning policies. Though this alternative uses the same number of residents and employees in the Bay Area as *Projections 2003*, it reduces residential uses in outlying areas and increases residential density in the urban core areas with a greater amount of high-density, multiple-family residential housing types than contemplated in *Projections 2003*. These land use assumptions would not be realized without substantial governmental intervention, through regulation and new incentives to create public funding for housing and transportation infrastructure and increased levels of public services.

10-C **Specific Projections Comment –** The TRANSDEF alternative shows a more balanced jobs-to-employed-residents ratio for San Francisco, which mathematically would mean that San Francisco in this alternative would not have to import 16,361 of the workers daily needed for the ABAG estimate. This change would translate to about 5,500 peak-hour trips. At 2.5 persons per vehicle, this is about 1.1 freeway lanes less traffic into San Francisco every morning and similar reduction in traffic leaving the City every evening. With the advantage described above it is hard to conceive any alternative using that land use would not be superior from environmental and travel perspectives.

Letter 11

SANTA CLARA
Valley Transportation Authority

January 7, 2005

Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

Attention: Ashley Nguyen

Subject: Transportation 2030 Plan

Dear Ms. Nguyen:

11-A Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Draft EIR for the Transportation 2030 Plan. We have no comments at this time.

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5784.

Sincerely,

Roy Molseed
Senior Environmental Planner

RM:rm

San Francisco County Transportation Authority

100 Van Ness Avenue 25th Floor
San Francisco, California 94102
415.522.4800 FAX 415.522.4829
info@sfcta.org www.sfcta.org

Memorandum

Letter 12

Date: 1.06.05

To: Doug Kimsey, Planning Manager – MTC

From: Tilly Chang – Deputy Director for Planning

Subject: Authority Comments on Draft Transportation 2030 Plan for the San Francisco Bay Area

Thank you for the opportunity to review and comment on the Draft Transportation 2030 Plan (Draft T2030). This memo provides the Authority's comments on the Draft T2030, as well as the corresponding DEIR.

We have submitted comments under separate cover on the proposed RTP Transit-Oriented Development policies. Please feel free to contact me at (415) 522-4832 with any questions about these comments.

Chapter 1: RTP 2030 Goals, Objectives and Measures

While the Draft T2030 goals and strategies are generally well developed, we suggest that the Livable Communities section or the Transportation/Land Use Platform should include some discussion of **parking management** (lowered parking requirements for new developments, pricing, shared parking, preferential parking for Carshare and bikes). Our recently adopted Countywide Transportation Plan (CWTP) discusses these issues and promotes initiatives such as creating a parking assessment district pilot program. Such programs should be promoted region-wide through MTC's TDM and TLC programs.

Chapter 2: Trends

Growth Assumptions are too high for San Francisco. Financial support and incentives to reach growth targets are unclear and should be strengthened. The Draft T2030 assumes ABAG Projections 2003 land use forecasts, which exceed the San Francisco Planning Department's forecasts (based on Projections 2002) by 30,000 housing units and 50,000 jobs for 2030, for various reasons. The Planning Department has requested that ABAG utilize the Department's land use allocations based on Projections 2002. We urge MTC and ABAG to reconsider these more realistic targets in the RTP 2030, and in future updates of the RTP.

As ABAG assumed, and Valerie Knepper's memo to the Transportation and Land Use Task Force, "TOD Study: Major Trends for Growth Around Transit" dated 12/1/04 found, "[i]mplementation of Proj2003 should not be assumed and will ***require focused effort and incentives.***" MTC's TLC/HIP program, TPLUS support to CMAs, and proposed TOD policies begin to address this issue, but additional direct investment is also needed to ensure adequate transportation capacity to meet new demands, especially in urban core areas.

Prioritize BRT as a cost effective way to use any additional discretionary RTP expansion funds, particularly in the urban core areas. We believe that the Draft T2030's smart growth land use strategy should be matched by a smart growth transit investment strategy. ABAG's population distribution assumes 25% of overall growth will occur in urban core (San Francisco, San Jose and Oakland) compared with 10% of growth, under current growth patterns. Job growth is also focused on these

urban core areas. Correspondingly, the Draft T2030 finds that transit ridership is projected to increase 59%, almost twice as fast as total daily trips. As a result, the Draft T2030 finds, "***added capacity will be required in order to accommodate the increased demand*** on those bus and train systems that are already crowded at peak commute hours, such as BART through the transbay tube, MUNI trunkline bus and LRT routes and downtown rail stations." We urge MTC to prioritize future discretionary RTP revenues for BRT, particularly in the urban core and to transit systems that are near or at capacity where needs are projected to be greatest. This cost effective approach could help ensure that mode share gains are achieved in the first half of the T2030 time frame, in order to help stem transit's mode share decline.

Chapter 3: Investments

Integrate the Transit Operations component of the Regional Operations program with other like efforts. Focus investment in the urban core. San Francisco's Bus Rapid Transit development program goals are perfectly complementary to the Transit Operations component of the Regional Operations program. We look forward to working with MTC to integrate this program with the findings of Caltrans' Regional Express Bus Study and Statewide BRT Task Force. We also look forward to coordinating this work with the development of the Transit Connectivity Plan in the coming year. For all of these programs, we again call for funds to be prioritized in the urban core.

We strongly support the Community Based Transportation Plans (CBTPs) program. We look forward to embarking on CBTPs in three San Francisco neighborhoods: Civic Center, Bayview and the Mission.

Recognize local sales tax program support for Paratransit. The Draft T2030 identifies the trends associated with an aging population and should recognize that the San Francisco County Transportation Authority and other sales tax authorities have made significant commitments to funding paratransit needs, including operating support. We would welcome working collaboratively with MTC, transit operators, sales tax authorities and others to advocate for increased operating support for paratransit at the state and federal levels.

We strongly support the Regional Bike/Pedestrian Program. MTC's creation of a program specifically earmarking funds for bicycle and pedestrian improvements is an important milestone. We have been working closely with MTC and San Francisco project sponsors to identify strong candidate projects for the first round of programming.

Safety and security programs should take into account urban core transit systems and other high-threat transportation facilities. San Francisco faces special challenges in ensuring the security of transportation landmarks and transit systems, and is at a higher risk given the density and high profile nature of the City and its landmarks.

Manage the HOV/T program at the system level. Toll revenues from HOT operations should be used in part to fund regional express bus services, including subsidized fares or passes for low-income populations.

Add Geary BRT to Resolution 3434 Bus Program maps. The Geary Corridor Transit Study authorized in Resolution 3434 is underway and should be added to the map on page 73. MTC might also consider showing other complementary BRT projects on the maps even if they are not included as part of Resolution 3434, such as Van Ness BRT, in order to show a more complete regional picture of underway and planned for expansions and upgrades to the Bay Area's transit network.

Appendix 1: Bay Area Region/Multi-County and San Francisco County

The Caltrain Downtown Extension/Transbay Terminal Replacement Project (21342 and 22008) and the South Access to the Golden Gate Bridge: Doyle Drive (98102 and 94089) Projects should be included in the Bay Area Region/Multi-County section rather than the San Francisco County section. These are both regional projects in every sense of the word and both are intricately linked to projects that are already included in the Bay Area Region section such as Caltrain Electrification and seismic retrofit of the Golden Gate Bridge.

We have a number of technical clean up items related to the San Francisco County project listing that we would like to address with your staff such as name changes (e.g. 94089 should read "Reconstruct South Access to the Golden Gate Bridge: Doyle Drive from ...."), verifying that there are not duplicate project or program listings (e.g. 21529 – New and upgraded local streets and roads and 22249 – New and Upgraded Streets Program) and consistently identifying Proposition K sales tax projects (e.g. 94632, 21510, and 21342 are all Prop K projects). Maria Lombardo, the Authority's Chief Deputy Director, is available to meet with you or your staff at your earliest convenience to review the project listings. She can be reached at 415-522-4802 or via email at maria_lombardo@sfcta.org.

12-A **T2030 DEIR – Transdef Alternative**

While potentially useful as a sensitivity test of land use and transportation policies, the Transdef Alternative should not be given consideration as a viable alternative as it excludes many committed Regional Measure 1 and 2 projects and voter-approved sales tax program projects such as the New Central Subway.

The Transdef alternative assumes a BRT – "C" Line in place of the New Central Subway that combines MUNI lines 30, 41 and 45. This new BRT line is also not defined in the Prop K Expenditure Plan.

The Transdef alternative also excludes San Francisco's transit enhancements program (MTC project 22982), traffic calming (22416) and wheelchair curb ramps (22984), all of which were approved by San Francisco voters.

cc: A. Ghosh, Planning Department
JLM, BC, RH, JK, MEL, MP, DS– Chron, File: MTC - T2030

J. Goodwin

STA
Solano Transportation Authority
One Harbor Center, Suite 130
Suisun City, California 94585

Area Code 707
424-6075 • Fax 424-6074

January 6, 2005

Mr. Steve Hemminger, Executive Director
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607-4700

Letter 13

Re: Draft EIS and Draft Transportation 2030 Plan

Dear Steve:
The Solano Transportation Authority staff has reviewed the Draft Environmental Impact Report (DEIR) and the Draft Transportation 2030 Plan (Draft T-2030) for the San Francisco Bay Area dated October 2004. STA feels that the DEIR and the Draft T-2030 Plan are comprehensive and thoroughly address the future transportation needs and alternatives for the Bay Area.

STA would like to forward along the following specific comments:

DEIR

13-A **Figure 1.2-6** **North Bay East/West Corridor map**
It is requested that this map extend the North Bay East-West corridor further east to the Solano/San Joaquin (county line). This entire corridor has become a key and growing gateway to the Solano County and the rest of the North Bay and a number of the critical projects are in the easterly end of the corridor. Revising the map would be similar to that shown for the Delta and Tri-Valley corridors (both extend out to San Joaquin region).

13-B **Page 2.5-31** **Project ID 96022**
We believe this project should read: Delta Corridor (not Solano Co-wide)

13-C **Page 3.1-4** **TRANSDEF Smart Growth Alternative (Alternative 5)**
STA does not support this alternative since we believe that alternatives, 1, 2, 3 and 4 sufficiently analyze and address a range of alternatives sufficient to meet the requirements of the California Environmental Quality Act. MTC's Transportation for Livable Communities Program and the pending Transit Oriented Development Study and Transit Connectivity Study are identifying additional ways to encourage infill

13-C (cont.)

development and increased transit ridership in a much more realistic and consensus building approach than is suggested by this alternative.

Also, the TRANSDEF alternative proposes to eliminate some of the Committed and New Commitments (previously called Track 1 projects) priority projects identified for Solano County such as the Fairfield, Vacaville Train Station, Vallejo Ferry Terminal, Route 12 westbound (Red Top Road) truck climbing lane, I-80/680/12 interchange improvements, I-80/680/780 mid-term capacity and operational improvements and the Jepson Parkway Project. Eliminating these projects would be contrary to the voter-mandated Regional Measure 2 toll increase the Solano Comprehensive Transportation Plan as well as the recently completed I-80/680/780 Corridor/ Major Investment Study. There is insufficient explanation on why those projects are not acceptable and what would be viable alternative projects to meet the demands identified by ABAG Projections 2003 and the Solano-Napa Countywide Travel Demand Model.

The TRANSDEF alternative is not feasible and is based on a number of pricing and land use strategies (i.e. parking charges at employment sites, 20% reduction in transit fares and land use assumptions that are contrary to Projections 2003) that are out of the jurisdiction and control of MTC and the Regional Transportation Plan.

Instead STA suggests that TRANSDEF's approach be used to further refine, evaluate and select projects as part of the performance measures that MTC developed for this and future regional transportation plans.

Draft T-2030

Page 57. **Regional Bicycle Plan**: This plan does not fully incorporate recent changes made to the Solano Countywide Bicycle Plan dated May 2004. STA submitted comments on this matter to MTC in October 2004

Page 61 **Bay Area Transit Hubs:** Based on input provided by the STA Board on October 13, 2004 on the MTC Transit Connectivity Report, please incorporate the Fairfield Transportation Center on the map of transit hubs being included in MTC's Transit Connectivity Study.

Page 69 **Proposed High Occupancy/Toll/Toll (HOT) Lane System:** Existing HOV lanes and those under construction or funded are depicted in this map. For Solano County, please incorporate the RM-2 funded HOV lanes being planned on I-80 from I-680 to Air Base Parkway.

Page 73 **Resolution 3434 Bus and Ferry Projects**: Express bus service from Fairfield, Vacaville, and Dixon to Sacramento is now provided daily through Route 30. Please include an extension of the Bus/Rapid Bus

through Route 30. Please include an extension of the Bus/Rapid Bus Route shown on I-80 to the easterly edge of Solano County adjacent to Sacramento County.

Page 116-118 Appendix One

STA also will be submitting comments and refinements on the costs and revenue estimates in the fiscally constrained and vision elements listed in Appendix One for Solano County. It is our understanding that we can continue to work with your staff during January 2005 to update those costs/funding estimates.

Page 116-118 Appendix Two: Transportation/Land Use

STA staff has been participating in the Transportation Land Use Task Force that developed MTC's Draft Transportation Land Use Platform. (see Appendix B). Staff feels that the Platform's principles generally supports and are consistent with the STA's vision for the future. This includes the STA's Comprehensive Transportation Plan including the recently adopted Transportation for Livable Communities Plan, Countywide Bicycle Plan and Countywide Pedestrian Plan.

Jurisdictions throughout Solano County are trying to incorporate a mix of housing types and trying to make it easier for people to walk, bicycle or take transit.

Although STA and many of other the CMA's throughout the Bay Area have consistently supported the platform principles, STA staff has encouraged MTC take a corridor approach and acknowledge that local jurisdictions must balance many competing goals when developing their plans, policies and regulations. For instance, increasing the supply of housing and it's affordability must overcome the problems of the limited financial resources available and frequent local resistance.

Also part of STA's on – going Transportation and Land Use Solutions Program (T-PLUS) work plan, one of the statements adopted by the STA Board on May 14, 2003, includes:

> "At the request of the local jurisdiction, review and provide suggested strategies on proposed new transportation-related projects of general plans, general plan amendments, vision plans, strategic plans, specific plans, transit-oriented developments and downtown revitalization/redevelopment plans."

STA staff believes that this work plan statement and recent efforts to develop a Transportation for Livable Communities Plan, County Bicycle Plan and Countywide Pedestrian Plan directly supports and the mosdt effective ways that STA can help to encourage walking,

bicycling and support more transit-oriented developments at the local level, consistent with the principles of the Transportation/Land Use Platform.

Thank you for this opportunity to comment on these documents. If you have any questions, please contact Dan Christians, Assistant Executive Director, Director of Planning, at 707.424.6075.

Sincerely,

Daryl K. Halls, Executive Director

Cc: STA Board Members
Doug Kimsey, MTC Planning Manager
Ashley Nguyen, EIR Project Manager
James Corless, MTC Senior Planner

PORT OF OAKLAND

January 5, 2005

Letter 14

Metropolitan Transportation Commission
101 Eighth Street
Oakland, California 94607-4700

Attention: Ashley Nguyen, T2030 EIR Project Manager

RE: Comments on Transportation 2030 Draft EIR

Dear Commissioners:

14-A The Port of Oakland has reviewed the DEIR for the Draft T2030 Plan. The document is thorough and fair, though we notice some omissions in one of the alternatives that could have devastating negative effects on the Bay Area, if that alternative were adopted. The TRANSDEF alternative omits a number of Alameda County projects, four of which play vital roles in the ability of the Port of Oakland and Oakland International Airport to move people and goods through our region.

These projects are:
The BART-Oakland International Airport Connector, which is projected to replace three million vehicle trips to and from the Airport annually. As congestion on our roads and highways continues to increase, this project becomes increasingly significant. The TRANSDEF alternative mentions development of Bus Rapid Transit to the Airport, but space constraints along the roads and at the terminals, as well as increased Airport traffic make such a commitment questionable.

North Airport Air Cargo Access Road and **Outer Harbor Intermodal Terminal** are two projects that are needed to facilitate the growing flow of air and maritime freight passing through the Port's facilities. The Port of Oakland is the nation's fourth largest container port and Oakland International Airport handles the largest volume of air freight of any of the region's three major airports.

I-880 Operational Improvements between Hegenberger Rd. and I-980 is not a Port project per se, but this is the corridor that carries over fifty percent of the Port's maritime container traffic. This segment of I-880 is obsolete by today's standards. It is also desperately in need of seismic and safety upgrades. The improvements to be made will positively impact both passenger and freight vehicle flows.

Please feel free to contact me if you have further questions at 510-627-1363.

Very truly yours,

Steve Gregory
Senior Port Strategic Planner

Community
Development
Department

County Administration Building
651 Pine Street
4th Floor, North Wing
Martinez, California 94553-0095

Phone: (925) 335-1201

Contra
Costa
County

Dennis M. Barry, AICP
Community Development Director

Letter 15

December 23, 2004

Doug Kimsey, Planning Manager
Metropolitan Transportation Commission
101 Eighth Street
Oakland CA 94607

Dear Mr. Kimsey:

The Contra Costa County Community Development Department has reviewed the Draft Environmental Impact Report (DEIR) on MTC's "Transportation 2030" Regional Transportation Plan and offers the following comments.

15-A 1. Coordinated management of the HOV system could help improve the performance of both the proposed project and several of the alternatives. The DEIR notes that even with the project, congestion and travel time per trip in 2030 will be much greater than the current condition (Chapter 2.1). The DEIR also includes an alternative that consists of the financially constrained plan plus a high occupancy toll (HOT) network, as a way of adding efficiency to a constrained network (Alternative 4 as described on page 3.1-4). An additional alternative to evaluate would include coordinating the operation of HOV lanes where they feed into the HOV bypass lanes at the toll plazas of state-owned toll bridges.

An example of the lack of coordination between the operation of HOV facilities between state-owned toll bridges and their adjacent HOV lanes occurs on I-680 in Contra Costa County. Two-person carpools are eligible to use the HOV lane on I-680 from 6:00 to 9:00 AM and from 3:00 to 6:00 PM. When commuters arrive at the Benicia Bridge toll plaza this occupancy requirement changes to a three-person minimum from 5:00 to 10:00 AM and from 3:00 to 7:00 PM. Similar variations occur at other locations in the Bay Area. Changing the operation of the HOV bypass lanes at the toll plazas to match the operation of the adjacent HOV lanes would support the objectives of the proposed project by helping to establish a seamless HOV network in the region, encourage the use of carpools, and help reduce congestion and harmful emissions generated in the mixed-flow freeway lanes.

15-B 2. Growth-inducing impacts are not adequately evaluated in the DEIR. The DEIR assumes growth-inducing impacts would be significant if substantial unplanned growth in the region is stimulated (page 2.11-8). The DEIR is based upon ABAG's *Projections 2003* growth forecasts which are "policy-based" and are not necessarily consistent with the policies of local general plans (page E-1). Furthermore, the Department understands that MTC's five-point transportation and land use platform is part of the Transportation 2030

15-B (cont.) Plan (page 2.11-10). This platform includes requirements that local jurisdictions pursue higher-density development around transit stations, amending their general plans if needed (Transportation 2030 Plan, page 127). The DEIR's assumptions and the project description suggest that the Transportation 2030 Plan will stimulate growth by existing and planned transit stations that may not be anticipated in local general plans.

Whether or not this growth is consistent with ABAG *Projections 2003* does not eliminate the need for analyzing the impacts of such growth if it is not anticipated by local jurisdictions. Unanticipated increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects, either individually or cumulatively. It must not be assumed that such growth will be of little significance to the environment.

The DEIR should disclose whether or not its growth assumptions in the vicinity of existing or planned transit stations are consistent with local general plans. If this growth is not anticipated by local jurisdictions and if the proposed project will help stimulate this unplanned growth, the DEIR should disclose the potential for taxing existing community service facilities and the construction of new facilities that could cause significant environmental effects.

The Department offers these comments to assist MTC in preparing a complete and adequate EIR on the Transportation 2030 Plan.

Sincerely,

Steven L. Goetz
Deputy Director, Transportation Planning Division

c: D. Barry, Community Development Director
J. Greitzer, Community Development Dept.
P. Roche, Community Development Dept.
M. Shiu, Public Works Director

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City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH
OCCUPATIONAL & ENVIRONMENTAL HEALTH

Gavin Newsom, *Mayor*
Mitchell H. Katz, *M.D.*, *Director of Health*
Rajiv Bhatia, *M.D., M.P.H* *Director of EHS & OSH*

January 7, 2005

Steve Heminger, Executive Director
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

Letter 16

Dear Mr. Heminger:

Thank you for the opportunity to comment on the Draft 2030 Regional Transportation Plan (RTP) and Draft Environmental Impact Report (DEIR). On behalf of the San Francisco Department of Public Health (SFDPH), we appreciate MTC's efforts to obtain the broadest public participation.

Overall, we believe the Draft RTP and DEIR describe a comprehensive and environmentally friendly blueprint for the future of the Bay Area. We note that the DEIR does identify the TRANSDEF Smart Growth Alternative, not the MTC's own Proposed Project, as the environmentally superior option. While we understand that the Smart Growth Alternative presents real issues of feasibility for the MTC, we do encourage the MTC to further investigate the possibility of specific measures within the Smart Growth Alternative.

Transportation planning and policy is of great importance to public health and in particular to issues of air quality, pedestrian safety, physical activity and access to goods and services. Recent research has highlighted the relationships between increasing auto use and physical inactivity, which has importance for obesity, diabetes, and mental health. Public health also recognizes that low-income, minority and special-needs populations depend on affordable and efficient public transit to get to jobs, schools, and health care services as well as to see family and friends.

16-A Our first comments are on air quality and in particular the DEIR finding of no impact with respect to particulate matter. Asthma and other respiratory illnesses are a significant problem in San Francisco, and motor vehicle emissions and air quality are our foremost concerns The DEIR predicts a 34% increase in personal auto trips between now and the year 2030 (Table 2.1-8) and an overall increase of 40% in vehicle miles traveled (Table 2.1-8). Despite expected decreases in ROG, NOx and CO (Table 2.2-9), we are very concerned about the expected increases in PM_{10} (34.7%) and $PM_{2.5}$ (25.1%). Research conclusively attributes to particulate matter significant health problems, including asthma, bronchitis, decreased lung function and premature death. Higher PM will be expected to increase population exposure and resultant illness; nevertheless, in comparing the RTP projects to the No Project Alternative, you fail to find significant impacts with respect to PM. As you note (page 2.2-20), attainment plans for PM have not been developed. However, the air district and ABAG's lack of action should not imply that the MTC ignore expected increases in PM. We believe you should find any increase in air pollution as a result of increased growth and travel as a "significant impact." We urge you to consider further mitigation measures within your scope to reduce automobile emissions.

16-B From a public health perspective, we believe that attempts to prevent illness and disease, such as those caused by exposure to particulate matter, should focus on root conditions. On page 4

16-B (cont.) of the Draft RTP, you state "…the era of major freeway construction – the building of the Interstate system – is over." As public health advocates, we welcome this change of perspective, and we fully support the Draft RTP "livable communities" objectives (page 17) and "clean air" objectives (page 19). Remaining consistent with this perspective, attempts to mitigate transportation effects on air quality should be focused on measures to provide Bay Area residents convenient, safe, and affordable alternatives to automobiles, especially non-motorized alternatives such as onto public transit and walking/bicycling. We believe many people would welcome more options to get out of cars. Alternative land use patterns that promote residential and commercial mixed-use and high density development around existing and new transit hubs would address this issue at its root.

16-C The TRANSDEF Smart Growth Alternative described in the DEIR provides a wonderful opportunity to challenge the historic land use patterns that have been so destructive to the environment and human health. In focusing future residential development in the urban core and in increasing residential density altogether, the Alternative lets people avoid cars and use public transit, reducing overall vehicle miles traveled and congestion. In addition, the Alternative benefits public health by encouraging walking, providing better access to jobs, and promoting social cohesion – all well-known attributes of healthy places. Furthermore, expanding public transit access and community mobility would improve the travel experiences for many of the Bay Area's transit dependent populations, meeting the MTC's own "livability" goals and objectives, and meeting its commitment to the Lifeline Transportation Network. We have played an active role in advocating for a fully funded LTN, and we appreciate the substantial increase in funding this RTP has brought. However, extensive, coordinated and affordable public transit, such as that described by the TRANSDEF Alternative, offers strong opportunities for people to get out of their cars and to improve the overall quality of life experienced by special populations and low-income communities.

On page 2.3-33, the DEIR states "MTC has no land use authority and cannot directly affect the pattern that future land uses will take…" As a public health agency, we understand the difficulty in intervening in the activities of other public agencies. However, we believe MTC may be able to take a significantly stronger stance on environmentally sound Bay Area growth by adopting some elements of Smart Growth Alternative, either through consideration of new pricing strategies that will reduce auto use or through increasing funding for public transit and Lifeline.

Environmental protection is not independent of land use and transportation policy making. While the MTC is directly responsible for our transportation system, the actions of all public agencies can affect environmental quality and human health. We see the day to day consequences of transportation decisions in emergency room visits for asthma and unnecessary injuries. Being mindful of health impacts of its public decisions, MTC can not only provide a great transportation system but also provide critical support to the mission of public health.

Should you have any additional questions or comments, feel free to contact us at 415.252.3988. Thank you again for the opportunity to provide our feedback.

Sincerely,

Lili Farhang, MPH
Program on Health, Equity and Sustainability
SF Department of Public Health

Rajiv Bhatia, MD, MPH
Director, Environmental Health Section
SF Department of Public Health

San Francisco Tomorrow

Since 1970, Working to Protect the Urban Environment

January 3, 2005

Letter 17

Ashley Nguyen
Transportation 2030 Project Manager
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607-7760

Subject: Comments on the Draft Transportation 2030 Plan

While San Francisco Tomorrow (SFT) appreciates the efforts that went into creating a balanced document, we are concerned that these efforts have led to a document that increases subsidies to wealthier suburban areas at the expense of inner city residents. We urge MTC to adopt the alternative presented by the Transportation Solutions Defense and Education Fund (TRANSDEF). We believe it addresses the bulk of our concerns, noted below.

Appendix 2, the MTC Transportation/Land-Use Platform is very good. However, the Draft Plan as presented doesn't follow it very well. The plan states that the era of major freeway construction is over. But it then proceeds to include many ill-advised freeway projects. The proposed fourth bore of the Caldecott Tunnel is one. This will generate more automobile traffic, have serious adverse effects on the liveability of Oakland and San Francisco and generate more pressure for more urban freeways, street widenings, and other traffic measures that will make life more difficult for pedestrians and transit riders, and promote sprawl -- i.e., auto oriented development. We are well aware that this has been voted on by the people. However, we don't believe that the people intended this project to take priority over basic "fix it first" projects and urgently needed transit improvements.

17-A | MTC's method of analyzing the impacts of highway projects is faulty. It measures only the value of trip time savings, etc. It fails to include the costs to those displaced by the project and of the community disruption these projects cause.

High Occupancy Vehicle (HOV) lanes should be implemented only by converting existing lanes to HOV. Implementing HOV lanes by adding lanes to a freeway will increase freeway capacity, generate more automobile traffic, and destroy homes and businesses. Car pools should be promoted, but with this caveat: care must be taken that they do not encourage auto oriented development – sprawl – rather than transit oriented development.

High Occupancy Toll (HOT) lanes should not be implemented. Rich people should not be allowed to buy their way out of the congestion they cause other people to suffer. Let them mix with the hoi-polloi and see what the common people must put up with. A much better use of the

commission's efforts would be to try to get as many rich people as possible onto public transportation. We are sure this would rapidly bring about great improvements in it, since they would then demand quality public transportation and the whole area would be better off for it.

Regional rail service should be implemented by using existing rail infrastructure to the maximum extent possible. Caltrain, ACE train, and Capitol Corridor service should be increased and the planned Dumbarton rail should be implemented as soon as possible. Studies should be undertaken immediately to determine what additional existing rail lines could be used for regional rail passenger service. All of these services would of course be provided with equipment that meets the standards of the Federal Railroad Administration.

Above all, MTC must not assume trend is destiny. It should think hard about this and do all it can to change bad trends and redirect trends so that they will benefit the environment and improve the liveability of the region. MTC can influence land use by directing transportation funds to proposals that will serve developments that promotes smart growth, increases transit ridership, reduces auto dependency, and improve walkability of neighborhoods, and by having a policy against funding proposals that will not accomplish these ends. A case in point is the graph on Page 32 "New Households ...". This shows too many households in the Outer Ring and not enough in the Urban Core. MTC can impact this imbalance through proactive policy actions. It must do what it can to encourage more households in the Urban Core by following the suggestions given above.

17-B | The Transportation Solutions Defense and Education Fund (TRANSDEF) has submitted an alternate regional transportation plan which is analyzed in this plan's EIR. The TRANSDEF alternative plan is clearly the superior one. It calls for development along transit corridors and at transit nodes, but no new development occurs in many existing neighborhoods, presumably ones that are already densely populated. It results in more transit trips, and a greater percentage of total trips being made on transit, than any of the MTC's alternatives. The TRANSDEF alternative also lowers the cost per transit trip and raises the cost per auto trip. This will encourage more people to use transit. San Francisco Tomorrow urges the MTC to adopt the TRANSDEF alternative as the regional transportation plan.

Very truly yours

Jennifer Clary, President

Norman Rolfe, Transportation Chair

Technical Report Comparing
MTC Fiscally Constrained Alternative (Constrained)
and TRANSDEF Smart Growth Strategy Alternative (Smart Growth)

Sherman Lewis, TRANSDEF Dec. 12, 2004

18-A

Constrained vs. Smart Growth, regional results: Trips and VMT

Constrained substantially increases auto trips. Smart Growth also increases auto trips but significantly less than Constrained.

Constrained increases transit, bicycle, and walk trips a little more than it increases auto trips, while Smart Growth increases these modes significantly more.

Smart Growth increases vehicle miles traveled, but Constrained increases VMT more.

Trips by Means of Transportation					
	Year 2000	Constrained	increase	Smart Growth	increase
Auto	17,597,259	23,704,583	6,107,324	22,615,003	5,017,744
% change			**35%**		**29%**
Transit	1,175,555	1,744,503	568,948	2,397,276	1,221,721
% change			48.4%		103.9%
Bicycle	310,589	403,813	93,224	433,004	122,415
% change			30.0%		39.4%
Walk	1,950,422	2,639,951	689,529	2,829,171	878,749
% change			35.4%		45.1%
Transit, bike, walk total	3,436,566	4,788,267	1,351,701	5,659,451	2,222,885
			39%		**65%**
Daily Vehicle Miles of Travel (VMT)					
	143,495,300	202,823,500	59,328,200	196,465,700	52,970,400
% change			**41%**		**37%**

DEIR_Summary_Tables_v4.xls

Constrained vs. Smart Growth, regional results: travel time

Smart Growth increases personal trip time, especially for work trips.
Transit riders are willing to spend more time on their trip than drivers because they can do other things while riding. If the time is adjusted for value of time, there may be little real difference between Constrained and Smart Growth.
Paradoxically, Smart Growth puts people closer to work than Constrained.
Access within 45 minutes is especially important.
Smart Growth provides somewhat better access by auto and a very large improvement for job access by transit.

Average Travel Time per Trip	Year 2000	Constrained	increase	Smart Growth	increase	Smart Growth over Constrained
Work Trips, Total	28.4	31.1	2.7	31.8	3.4	42 seconds
Non-Work Trips, Total	15.8	16.0	0.2	16.2	0.4	12 seconds
Total Personal Trips	18.9	20.0	1.1	20.3	1.4	18 seconds
Total Truck Trips	11.4	11.4	0.0	11.3	(0.1)	
Accessibility to Jobs						
Number of Total Jobs Accessible by Auto						
Within 15 minutes	109,200	133,700	24,500	149,600	40,400	
Within 30 minutes	476,800	567,300	90,500	609,000	132,200	
Within 45 minutes	960,300	1,104,400	144,100	1,171,400	211,100	
% change, 45 min.			**15%**		**22%**	
total	1,546,300	1,805,400	259,100	1,930,000	383,700	
% change			**17%**		**25%**	
Number of Total Jobs Accessible by Transit						
Within 15 minutes	5,100	7,200	2,100	11,100	6,000	
Within 30 minutes	41,200	58,400	17,200	83,400	42,200	
Within 45 minutes	136,000	179,400	43,400	240,800	104,800	
% change, 45 min.			**32%**		**77%**	
total	182,300	245,000	62,700	335,300	153,000	
% change			**34%**		**84%**	

Constrained vs. Smart Growth, regional results: congestion

Congestion is measured as the ratio of the volume of traffic to the hypothetical capacity of the roadway.

Congestion increases under both Constrained and Smart Growth assumptions, but less under Smart Growth.

AM Peak Period Regional Volume to Capacity (V/C) Ratio

	Year 2000	Constrained	increase	Smart Growth	increase
Freeways > 1.00 V/C	819,500	1,782,500	963,000	1,741,900	922,400
% change			**118%**		**113%**
Expressways, arterials > 1.00 V/C	118,800	305,700	186,900	276,100	157,300
% change			**157%**		**132%**
All facilities > 1.00 V/C	938,300	2,088,200	1,149,900	2,018,000	1,079,700
% change			**123%**		**115%**

Constrained vs. Smart Growth, regional results: households

Much of the result of the model are due to population increase. We can get a better sense of what is happening to the average family by looking at household data, thus controlling for population increase.

Constrained and Smart Growth assume the same increase in households, but Smart Growth increases transit boardings very significantly, and substantially reduces vehicle trips and vehicle miles traveled.

Households

	Base Year	Constrained	increase	Smart Growth	increase
Total Households	2,466,015	3,186,592	720,577	3,186,598	720,583
			29.2%		**29.2%**
Per Household					
Daily Transit Boardings	0.695	0.797	0.102	1.133	0.438
			15%		**63%**
Daily Vehicle Trips per HH	6.933	7.390	0.456	7.113	0.179
			7%		**3%**
Daily Vehicle Miles of Travel (VMT)	58.189	63.649	5.460	61.654	3.465
			9%		**6%**

Constrained vs. Smart Growth, urban system change

Urban system change means a major change in land use, transportation mode, and transportation pricing.

> Land use: smart growth: higher densities, less parking, mixed use, walk design.
> Mode change: from cars to transit, bike, and walk.
> Pricing: reduce subsidies to cars and some transit, support cost-effective transit.

MTC uses 1,454 travel analysis zones in its model of the 9 county region. 166 of these zones added up to the same population but had large differences between Constrained and Smart Growth. In some cases Smart Growth saved more open space while Constrained had more development. In other cases Smart Growth had smart growth densities while Constrained had less development. The 166 zones thus illustrate the major land use differences between the two alternatives for the same number of people.

The analysis focuses on TBW, short for transit, bike and walk personal trips. Looking at work trips, Constrained substantially increases the number of TBW trips, but Smart Growth increases them by a little over twice as much as Constrained.

Looking at trips for all purposes, Constrained increases TBW but not nearly as much as for work trips. Smart Growth is similarly reduced, increasing TBW trips by a little less than twice as much as Constrained.

Looking at mode split for the trip to work, Constrained increases the TBW share by about one third, but Smart Growth increases it by almost four times as much.

Looking at mode split for all purposes, Constrained increases TBW share by one percentage point, while Smart Growth increases it by 7 percentage points.

Urban system change

166 TAZ	Year 2000	Constrained	increase	Smart Growth	increase
TBW trips, home-based work	61,998	148,800	86,802	243,281	181,283
Percent increase			140%		292%
TBW trips, all purposes	333,202	609,899	276,697	869,873	536,671
Percent increase			83%		161%
TBW as a % of home-based work	9%	12%	*3%*	20%	*11%*
Percent increase			**32%**		**119%**
TBW as a % of all purposes	12%	13%	*1%*	19%	*7%*
Percent increase			**10%**		**60%**

Italicized percent are percentage point increases.
Transit, bike and walk person trips from production zones

Constrained vs. Smart Growth, suburban zones

We expect Smart Growth to have most impact in the systemic change zones. However, it is also interesting to look at the impact in neighborhoods that do not change, where mainly the pricing measures and some transit would impact. 327 zones have minimal differences between Constrained and Smart Growth. We will look at the mode split for work trips and for all trips. As expected, gains are modest compared with systemic change. Constrained edges up work trip TBW mode by one percentage point and Smart Growth by three percentage points.

As for all trips, Constrained loses a little ground while Smart Growth ekes out a two percent gain.

Neighborhood change, mode split for TBW

327 TAZ	Year 2000	Constrained	increase	Smart Growth	increase
home-based work	9%	10%	*1%*	12%	*3%*
Percent increase			**14%**		**39%**
trips for all purposes	9%	9%	*0%*	11%	*1%*
Percent increase			**-1%**		**14%**

Italicized percent are percentage point increases.
Transit, bike and walk person trips from production zones

Constrained vs. Smart Growth, access to jobs

A third important question is how people get to work in zones with severe job surpluses--areas where so little housing is available that housing has become unaffordable, commutes are long and slow and air becomes polluted.

San Francisco has already a very high TBW access rate. Constrained increased it somewhat, and Smart Growth increased it even more.

Silicon Valley has a very low base, allowing big percentage increases in TBW access, but Constrained increases it by only one percentage point and Smart Growth by three percentage points.

Access to jobs, mode split for TBW

102 TAZ	Year 2000	Constrained	increase	Smart Growth	increase
San Francisco	54%	62%	*7%*	66%	*12%*
Percent increase			**13%**		**21%**
Silicon Valley	7%	8%	*1%*	11%	*4%*
Percent increase			**15%**		**58%**

Italicized percent are percentage point increases.
Transit, bike and walk (TBW) person work trips as a percent of total work trips to attraction zones

Traffic, Constrained vs. Smart Growth, Hayward

We can use the output from the model to look at specific corridors. I've looked at three corridors using a system of analysis that can be used on any corridor.

I looked first at a short corridor from the Hayward BART station to the Cal State University campus. I looked at the volumes on two major arterials and found that Smart Growth performs about the same as constrained.

MTC staff informed me that they did not report ridership on the proposed rapid bus because the numbers involved are too small to be reliable.

Hayward BART to CSUH corridor					
AM volume, 2 hour peak	2000	Constrained	increase	Smart Growth	increase
Foothill between A St. and Grove Way					
northbound 3552 to 3520	1,643	2,851	1,208	2,585	942
Percent increase			74%		57%
southbound 3520 to 3522	3,157	5,855	2,698	5,799	2,642
Percent increase			85%		84%
Mission between Jackson and Highland					
northbound 3580 to 3579	2,076	2,158	82	3,446	1,370
Percent increase			4%		66%
southbound 3579 to 3580	3,714	5,705	1,991	5,827	2,113
Percent increase			54%		57%
southbound total	6,871	11,560	4,689	11,626	4,755
Percent increase			**68%**		**69%**
BART to CSUH rapid bus	0	no data		no data	

Traffic, Constrained vs. Smart Growth, into Silicon Valley

In the corridor from I-580 at Altamont to Silicon Valley I looked at three links. First, I looked at traffic coming west across the Altamont on 580 in the AM peak. Smart Growth produced the same number of trips as Constrained, probably because our land use assumptions were the same at the regional level. Next, I looked at the traffic coming south on 880 and 680 as it crosses into Santa Clara County. Smart Growth produced substantially fewer trips than Constrained, alleviating congestion at this crucial bottleneck. Trips, in fact, increase by only about half as much as with Constrained.

880and 6800 at Alameda County line into Santa Clara					
AM volume, 2 hour peak	2000	Constrained	increase	Smart Growth	increase
I-880 at Alameda-Sta Clara line					
southbound 4485-5812	14,775	14,845	70	17,130	2,355
southbound 9201-9046	0	3,733	3,733	0	0
I-680 at Alameda-Sta Clara line					
southbound 3867-5773	9,984	12,488	2,504	12,077	2,093
southbound 3867-9271	0	3,297	3,297	664	664
Southbound 880 + 680	24,759	34,363	9,604	29,871	5,112
percent increase			**39%**		**21%**

Third, traffic goes into the housing deficit area of Silicon Valley on three roads-- SR 237, Tasman, and Montague. By this point the Smart Growth impact is diminished but it still has fewer trips than Constrained. Meanwhile, commuter rail is serving many more passengers than Constrained. Constrained increases ridership from a low base, but Smart Growth increases ridership much more.

Into Silicon Valley from East side					
AM volume, 2 hour peak	2000	Constrained	increase	Smart Growth	increase
SR 237 westbound from I-880					
westbound 9038-9044	1,184	3,214	2,030	2,519	1,335
westbound 5838-5809	11,963	11,982	19	11,588	(375)
Tasman Dr					
westbound 5097-4253	2,529	2,527	(2)	2,104	(425)
Montague Expwy			0		0
westbound 5683-5709	6,137	8,487	2,350	8,747	2,610
westbound 5683-9106	781	1,353	572	1,249	468
Westbound total	22,594	27,563	4,969	26,207	3,613
percent increase			**22%**		**16%**
Total ridership (corridor and link ridership not available)					0
HSR (High speed rail) and ACE (intraregional riders)	1,431	5,773	4,342	73,263	71,832
Amtrak	955	2,129	1,174	5,006	4,051
total	2,386	7,902	5,516	78,269	75,883
percent increase			**231%**		**3180%**

Note: traffic includes trips from outside the region but transit does not. Transit is not modeled and shows zero trips on ACE and HSR coming in across the Altamont. Inclusion of inter-regional traffic would show significantly more riders on transit. '

Traffic, Constrained vs. Smart Growth, 101 in Sonoma and Marin

The third corridor I looked at was in Sonoma and Marin counties, at the southbound commute on 101. Smart Growth makes little difference in freeway traffic on the south side of Santa Rosa, and even makes traffic somewhat worse on 101 just south of San Rafael.

Meanwhile, on transit, Constrained decreases ridership a bit while Smart Growth increases it 126 percent.

Southbound on 101, Sonoma and Marin

AM volume, 2 hour peak	2000	Constrained	increase	Smart Growth	increase
South side of Santa Rosa					
Southbound 101 8199-8058 [2000]	7,380				
12258-8058 [Constrained, TDE]		8,041	661	8,025	645
Southbound 101 10023-11126	0	1,524	1,524	1,497	1,497
Total	7,380	9,565	2,185	9,522	2,142
percent increase			**30%**		**29%**
South side of San Rafael before Richmond Bridge					
Southbound 101 7903-7901	13,855	13,339	(516)	14,036	181
Southbound 101 9651-7901	0	1,606	1,606	1,570	1,570
Total	13,855	14,945	1,090	15,606	1,751
percent increase			**8%**		**13%**

Note: Smart Growth includes the gap closure project, increasing highway capacity in San Rafael.

GG Bus	34,307	20,988	(13,319)	50,658	16,351
GG Ferries	6,108	12,433	6,325	17,838	11,730
Sonoma Providers	10,091	15,894	5,803	45,539	35,448
Total	50,506	49,315	**(1,191)**	114,035	**63,529**
percent increase			**-2%**		**126%**

Marin and Novato Rapid buses are part of GG Transit. SMART is not reported.
Petaluma, Rohnert P-Cotati, and Santa Rosa rapid bus may be included in Sonoma providers.

January 7, 2005

Letter 19

Attention Ashley Nguyen, EIR Project Manager
MTC
101 8th St
Oakland CA 64607

Comments on the RTP and DEIR

Sherman Lewis Sherman Lewis

19-A The TRANSDEF Smart Growth Alternative (SGA) tests important ideas for solving transportation problems in the bay area. It demonstrates that these ideas perform significantly better than MTC's Transportation 2030 Plan (T2030).

In comparing the SGA with T2030, it is important to realize certain factors that complicate the discussion.

- The SGA has a mix of fiscally constrained and vision elements.
- T2030 also has two parts, the Fiscally Constrained Element (Constrained) and the Vision element.
- Neither vision element has an established funding source.
- The SGA and T2030 vision elements have projects in common like High Speed Rail (HSR).
- Both the SGA and T2030 propose incentives to support smart growth, which requires changes in local land use plans to protect open space, to build more densely in transit-served areas, and to reduce reliance on the automobile.

Comparing T2030 and SGA we find that

- The SGA costs billions less than T2030 and even billions less than Constrained.
- The SGA completely outperforms Constrained and mostly outperforms T2030 despite spending significantly less money.

There are no policy problems preventing the implementation of the SGA , but there are a number of procedural and political barriers. For example, some agency staff are threatened by changes to doing business as usual and therefor focus too much on real or perceived negative aspects of the SGA . Politically, while the SGA supports much highway expansion, there are other popular highway projects, like the Caldecott Fourth Bore, which the SGA opposes.

As a practical matter, transportation policy makers should learn what they can about the SGA, as the proposal is progressive, complex and comprehensive. They should have an agenda item for some briefing pro and con on the SGA. They should consider supporting elements of the SGA which can be adopted soon.

Financing Summary, Transportation 2030 Plan and Smart Growth Alternative					
billions	T2030		SGA		Savings
Constrained	97.8	-	90.7	=	7.1
Vision	5.5	-	2.2	=	3.3
Total	103.3	-	92.9	=	10.4

SGA Overview

The SGA is an outgrowth of the Smart Growth Strategy developed over a period of two and half years. This strategy, characterized as Network of Neighborhoods, was developed by the regional agencies with extensive public workshops.

19-B **1. Land Use.** The ABAG Projections 2003 (P2003) for 2030 failed to implement much of the Smart Growth Strategy. P2003 failed to protect open space, made technical errors resulting in an overestimation of job growth, did not achieve the goal of a balance of housing and jobs, and did not distribute jobs and housing so as to alleviate congestion.

As a result, TRANSDEF sought to propose a transportation plan that would correct some of these errors. We have not fixed the regional job housing balance, but we did

- conform to P2003 regional totals for population, household population, households, employed residents, and total employment.
- redistribute a small number of job and housing locations to improve balance within the region.
- saved about 92 square miles of open space.
- increased densities in transit-served areas, but not above the higher ABAG levels.
- keep most neighborhoods as they are or as projected by P2003.

19-C **2. Transportation.** The SGA builds 600 more lane miles of highway, while Constrained builds 1,030 and T2030 would build 2,330 more lane miles. The SGA does not build BART to San Jose, instead putting the money into High Speed Rail via the Altamont. The SGA assumes that the ACE service is folded into HSR. The SGA supports a number of rail, DMU, and rapid bus services in areas to be developed with smart growth.

19-D **3. Pricing reforms.** The SGA proposes several pricing reforms:

- **Cashout with redevelopment.** Employers who provide free parking for employees would be required to offer them cash instead. About ten to forty percent of employees would cashout, dramatically reducing commute-related freeway congestion. Employers, who would otherwise have a new expense, would be able to develop land no longer needed for parking, providing them with a benefit and boosting the economy, improving efficiency in the use of land, increasing the densities and incentives needed to support transit, and reducing pollution and delay.

19-D (cont.)

- **Eco-pass.** Developers of new smart growth housing would be able to reduce parking costs, which add 25 percent to the cost of new housing, based on market demand for lower cost units. Parking would be treated as a separate business, paid for separately from housing rent and would be based on market demand and market prices. Since renters would then try to park their cars in spaces intended for other uses (poaching), a parking management program would be required. This program to mitigate poaching would include an eco-pass, a pass to ride local transit free of charge issued each month as part of the rent or condo fee. The eco-pass reduces the marginal cost of transit to zero. Combined with mixed use and frequent transit, a more affordable car-free lifestyle becomes attractive to many people. Already about one-fourth of residents in San Francisco, Oakland, and Berkeley are car-free or close to it. Residents, in addition to eco-pass, could have a number of guaranteed ride home vouchers, taxi vouchers, access to car rental or car share, and project-based minivan service. The program would be negotiated between the city and the developer as a public works requirement to mitigate poaching, so that increased density leads to decreased trips and vehicle miles traveled.

- **BART parking charges.** BART now loses millions of dollar a year from patrons willing and able to pay a market charge. A market charge can be varied by station, day of week, time of day, and proximity of the parking space, all in order to optimize revenues without losing riders. Using the proceeds to attract more riders to BART means that parking charges will increase ridership. BART's current policy uses fares from all riders to pay for policing, lighting, cleaning, and other operating costs of parking. About one-fourth of riders access BART by parking alone at BART parking. Parking charges would correct this inequity. (While BART is the major example, the policy would apply to all parking at transit.)

- **Systemic freeway metering.** Based on the research on I-10 in Los Angeles, it is clear now how many vehicles per lane and at what speeds freeway can operate. Congestion slows speeds and reduces through put. While adequate ramp stacking distances are important, the increase in speed and capacity on the main line reduces the ramp wait-time and the distance needed for the ramp. Systemic metering includes main line meters, the best example of which is the Bay Bridge. Without metering, the Bay Bridge would carry a small fraction of the people it carries today. Metering increases speeds and capacity and provides a powerful incentive for car pooling. (Similar carpool incentives are needed for eastbound.) Federal law now permits main line metering only over water. The law should be amended to allow metering on inter-states on land at choke points that now operate under capacity due to congestion and have no car pool incentive. Main line meters also preserve fairness of access to those using centrally located ramps in relation to those coming from the fringe. Systemic metering is the most cost-effective measure available for increasing freeway capacity and increasing car pooling and transit ridership. Systemic metering is similar to London congestion pricing.

The MTC model was not able to test directly the assumptions of the SGA. Cash out, eco-pass, and BART parking charges were approximated. Systemic metering was not estimated.

Evaluating T2030 and the SGA

19-E MTC uses three ways to measure highway traffic performance: Volume-capacity ratio, delay time, and volume of trips. These measures correlate well with each other, and reflect the attitudes of the popular culture and even some transportation professionals. They do not, however, reflect the attitudes that people have when making decisions that affect transportation. The attitude is that congestion delay is bad, but other attitudes lead people to create the congestion. These other attitudes relate to the time people are willing to spend to attain their goals, all balanced together. For example, people will accept a longer commute to get a better, higher paying job, and those who make the most tend to spend the most time traveling, as it is worth their while to do so, including congestion along the way. Similarly, people will buy a bigger house in a better neighborhood at the cost of a longer commute and more congestion. People gladly tolerate congestion to get where they want to go, driving past some movies and restaurants to get to the ones they really want. Similarly, people will delay, trip chain, or not make trips if the time cost is too great, even if there is no congestion at all.

We don't know what monetary value travel time has because people rarely have a chance to pay to save time. All too often, schemes to give a faster trip in exchange for cash run into attitudes that all have paid for the road and all should have equal access. However, a proper understanding of markets and wise use of the funds generated benefit the public as a whole. Also, providing ever more capacity free to the user creates more demand, and the greater the congestion before a project, the faster induced demand recreates congestion on new capacity.

Pricing is part of the solution, but also there need to be alternatives for people that are more efficient than a totally car-dependent system. More direct pricing for cars needs to be coordinated with creation of alternatives.

19-F Computer models have a hard time dealing with induced demand. MTC's model, while better than most, still has problems. It can consider route shifts and time of day shifts, but there are many other components of induced demand it does not consider. As a result, MTC projections of congestion delay are only approximations and probably underestimate, especially over a longer time frame, the delay that will occur despite more highway lane miles.

19-G The DEIR on T2030 ignores these issues and compounds the problem by making apples to oranges comparisons. For example, Table 3.1-4 shows the SGA (called TRANSDEF Smart Growth in the table) increasing average delay per vehicle by 28.7 percent over T2030. Similarly, Tables 3.1-4 and 3.1-5 show the SGA increasing daily vehicle hours of delay by 24.3 percent over T2030. Those unfamiliar with the manipulation of transportation data can easily be taken in by these numbers.

It is curious that the two percents are different yet seem to be about the same thing, vehicle delay. As it turns out, they are not about the same thing, the first being total delay and the second, delay per vehicle. The SGA has more delay per vehicle, but it also has 804,500 fewer vehicle trips, which at the MTC rate of delay would otherwise waste about 25,000 hours. Adjusting the SGA yields an increase of 20.8 percent increase in hours of delay over T2030.

However, it is more complicated than that. The T2030 figures include an unfunded vision element costing billions more than the SGA. The more appropriate comparison is with the Constrained alternative, even though it still spends billions more than the SGA. Constrained, which we actually have money for, has 913,000 hours of delay, **two percent more than SGA.**

19-H Using the T2030 as a base for comparison hides a more important problem: hours of delay get worse under all alternative compared to the year 2000. Even the SGA does not solve this. There are good political and cultural reasons for this, but no policy reasons. Some degree of congestion is cost-effective, but there is no political will or popular support for the analysis and the policies that would manage it better.

Project comparison, T2020 and the SGA (sample)

T2020	SGA	Comment
I-880/Route 92 Interchange by connector	I-880/Route 92 Interchange by wider (8 lane) bridge	The SGA is less expensive, has less neighborhood impact, is equally fundable, but would have less capacity
BART extension to Warm Springs (WSX)	High Speed Rail (HSR)	WSX is funded but conditioned on extension to San Jose, which is not, and has an extremely high cost per new rider. HSR works better.
BART to San Jose	High Speed Rail (HSR)	The RTP does not fund BART to San Jose even including the Vision element, and is not cost-effective. HSR, or a regionally funded rail program equivalent using SGA savings, should be adopted.
ACE Station/track improvements	HSR	no real differences
Increased ferry service		ferry has too high a cost per new rider and no social justice element
I-580 improvements in Tri-Valley	I-580 Transportation Operations Systems and ramp metering	

19-I The SGA has considerable overlap of projects with T2030, as well as omissions and additions. The project listing in the DEIR makes it difficult to understand what the SGA does, showing, for example, a project deletion without explaining another project with the same function, or failing to mention that congestion is reduced even though the project is deleted. The above table is an initial effort to clarify some differences.

19-J Knowing the analysis of alternates in DEIR 3.1 would be very limited, I prepared a number of analyses which are contained in a technical report submitted with these comments. This report focuses on changes from 2000 and differences between the Constrained plan and the SGA. It also used some new kinds of analysis. It provides per household results (p. 3). It looks at selected subsets of the regional set of 1,454 travel zones for three purposes: One, it analyzes how a subset of denser zones and more open space zones, SGA relative to MTC, performs relative to the more sprawled MTC plan, for the same population. Two, it analyzes how a subset of existing suburban zones that are similar between SGA and MTC perform. Third, it looks at vehicle counts in three corridors to compare SGA and MTC.

19-K DEIR

The DEIR discusses differences between 2030 project and 2030 no project. Since the 2030 project contains the vision element and is not fiscally constrained, the analysis does not conform to CEQA and state-federal transportation law requirements.

19-L 2.1 Transportation

The tables show that vehicle delay gets worse, but compared to no project, gets better, and this fact and the reasons for it need to be discussed. The tables show transit boardings increasing, but does not report the per capita rate relative to 2000, so the rate needs to be presented and the results discussed. Vehicle miles of travel increases relative to 2000, but the per capita rate is not reported. It should be discussed. It seems likely that the increase in VMT per capita would be less than the aggregate for the region. The law does not require it, but someday MTC might consider studying what needs to be done to improve performance over the current situation.

19-M 2.2 Air Quality

By narrowly defining air quality issues, the DEIR ignores global warming. Global warming gas emissions related to transportation and the RTP should be discussed. CARB policy in relation to the RTP should be discussed.

19-N 2.3 Land Use.

DEIR p. 2.3-23 states that the RTP does not conflict with local plans; p. 70 of the RTP calls for conditioning transit expansion on changing local plans to support smart growth land uses. The RTP clearly anticipates changing local plans, without which the transit investment, and thus the RTP, will not be carried out. The locals are well aware of the pressure MTC intends to exert and the DEIR should be more honest in discussing it, as the results should benefit the environment..

Appendix C

19-O Appendix C shows TRANSDEF as excluding SMART Commuter Rail, but it was my understanding that TRANSDEF included it. My spreadsheet Final Big Tent.xls shows projects 22113 and 22444 as SMART projects in the TRANSDEF list. My Track1.xls shows Sonoma Marin Area Rail Transit District as a regional project, RTPID 22635, but with no amount in the TotCapital column. However, MTC's Transit_Ridership_by_Operator.xls does not list the project and it does not show up in Appendix C.

19-P p. 3.1-13 discussion of vehicle delay leaves out factors favorable to the SGA, alluded to above. The SGA is being compared to a vision element and a total investment that is $104 billion greater than the SGA. When the spending is adjusted even minimally, with MTC still spending $7.1 billion more than SGA, the SGA has less delay despite significantly less spending.

19-Q Similarly, Value of Time issues are ignored. Also, the range of model error is ignored. As a result, the superior performance of the SGA is not fully or adequately recognized. The DEIR should recognize SGA policy performance, even though there are political issues in implementation.

19-R RTP Goals

The goals of the Vision chapter, the eight goals of the vision section of the Goals chapter, and the six goal goals of the Goals chapter are generally worthy but fail to articulate the most important goal we should have that would make most other goals more achievable. The missing goal is to reform prices to internalize external costs and the charge users more directly for costs. This goal is also a means or a policy to reach other goals. The RTP seems to recognize pricing as a means in the Vision chapter pp. 6-7, "Market Forces Are Key to Success," but is pessimistic about accomplishing pricing reform (p. 2 middle column) in discussing the gas tax and advocating the sales tax, the exact opposite of pricing reform.

I understand the political dilemma of MTC telling free riders what they do not want to hear, the failure of the media to educate, and the failure of groups adversely affected by indirect pricing to organize politically. I appreciate MTC's putting this in the RTP if only for one and one third pages of 139 pages.

But MTC and the region are failing to solve the transportation problems of artificial demand for under-priced services, and of lack of funds to provide services. The region is failing at related health, safety, national security, economic sustainability, productivity growth, air quality, land and water resources, and other problems. MTC should discuss pricing reforms much more thoroughly in the RTP, not just in the TRANSDEF section of the DEIR. Pricing reforms are by far the most cost-effective way to solve transportation and related problems. Some pricing reforms can be popular when explained properly and the benefits understood.

Economic freedom means using markets and prices so everyone can make, responsibly, their own choices in the market place with less tax, debt, spend, and regulate by government. A properly structured market is, then, not just a means, but a goal in itself.

LAW OFFICE OF MARC CHYTILO

ENVIRONMENTAL LAW

Letter 20

January 7, 2005

Ashley Nguyen, EIR Project Manager
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BY Email anguyen@mtc.ca.gov
dkimsey@mtc.ca.gov
and US MAIL

RE: Supplemental Comments of the Transportation Solutions Defense and Education Fund to DEIR for MTC's 2005 RTP, State Clearinghouse No. 2004022131

Dear MTC:

This office represents the Transportation Solutions Defense and Education Fund (TRANSDEF) a transportation advocacy non-governmental organization in the Bay Area. Please accept these comments on their behalf and denote them in the record as TRANSDEF comments.

As indicated by comments on the underlying RTP from TRANSDEF President David Schonbrunn, there are a number of important and valuable elements in the RTP. We generally find the analysis in the draft environmental impact report (DEIR) to be useful, however we have concerns regarding the project description and assumptions that underlie the DEIR's assessment of the environmentally superior alternative.

Unfortunately, we have concluded that the EIR employs selective reasoning to mischaracterize the project's impacts and benefits in comparison to the alternatives and deny decisionmakers and the public a fair analysis and thus comparison of alternatives. This flaw threatens to undermine both the EIR and the RTP.

20-A 1. CEQA Requires Identification of the Project Objectives and Consideration of Only Those Alternatives That Achieve the Objectives and Are Economically Feasible

CEQA requires an EIR to contain an "accurate, stable and consistent project description" (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193), including a "clearly written statement of project objectives (Guidelines § 15124(b)), required to "help the lead agency develop a reasonable range of alternatives to evaluate in the EIR" (id.) that can achieve those project objectives. CEQA Guidelines § 15124(b). The EIR's project description is flawed from the use of vague objectives that are not specifically related to a principal legal and technical function of the RTP – to meet the requirements of federal and state law to gain access to funding

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20-A (cont.) necessary to achieve the transportation improvements. The limitation of fiscal constraint is not applied evenly to the project and its alternatives. The function of fiscal constraint is an essential element of the RTP. Without fiscal constraint, the RTP cannot be approved and advanced to the State and Federal government for funding. Without the plan, the various projects would not be built as MTC would lack the legal authority and financial resources to complete them. The project description must be refined to include those parts of the project that MTC has authority to act upon – the fiscally constrained RTP.

In the vacuum created by MTC's omission of this fundamental CEQA environmental review document element, the DEIR is allowed to drift from its moorings and founder into an illogical and counterproductive alternatives analysis

Public Resources Code § 21061.1 defines feasible as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." The EIR must apply the limitation of feasibility evenly to each alternative and the project description to ensure compliance with CEQA's information disclosure and adequacy requirements.

20-B 2. <u>Fiscal Constraint is Required by State and Federal Law for RTPs and Thus is a Required Element of the Project Description</u>

The EIR attempts to blur the requirement of fiscal constraint through innovative use of a "vision" element and vague references to the state RTP as being exempt from this fundamental element of transportation planning. This effort is inappropriate, as the only RTP that may be approved under both federal and state law must be fiscally constrained.

The DEIR acknowledges that fiscal constraint is mandated by federal law for RTPs. DEIR at 1.2-4, citing 23 U.S.C. § 134 and 23 C.F.R. Part 450. Federal conformity mandates that transportation plans and TIPs be fiscally constrained consistent with DOT's metropolitan planning regulations at 23 C.F.R. Part 450. This is required by EPA's conformity regulations as well. 40 C.F.R. § 93.108 (fiscal constraints for transportation plans and TIPs).

The DEIR fails to recognize that state law, which similarly mandates preparation of RTPs that "shall be consistent with federal planning and programming requirements." Government Code § 65080(c). Federal planning requirements include the mandate that an RTP include "a financial plan that describes how the adopted [RTP] can be implemented, indicates resources from public and private sources that are reasonably expected to be made available to carry out the plan, and recommends and any additional financing strategies for needed projects and programs." 23 U.S.C. § 134(g)(2)(B). This requirement of "fiscal constraint" is echoed in 23 C.F.R. § 450.322(b)(11) which requires an RTP to "[i]nclude a financial plan that demonstrates the consistency of proposed transportation investments with readily available and projected sources

20-B
(cont.) of revenue." This language establishes the federal mandate of fiscal constraint, and it applies with equal vigor, by virtue of California Government Code § 65080(c), to RTPs prepared under state law.

Additionally, California Government Code § 65080(b)(3) requires a state RTP to include a "financial element that summarizes the cost of plan implementation constrained by a realistic projection of available revenues. . . . The first four years of the financial element shall be based on the four year estimate of funds developed pursuant to § 14524 [state budget projections]." An RTP prepared under state law is subject to comparable, if not the exact same requirements of fiscal constraint as imposed by federal law.

California RTP Guidelines, issued by the California Transportation Commission on 09/09/1999, further elucidate the essential nature of a constrained financial element to a California RTP.

> The third and final statutorily required planning element is the Financial Element. **The Financial Element is fundamental to the development and implementation of the RTP. It identifies the current and anticipated revenue sources and financing techniques available to fund the planned transportation investments described in the Action Element. The intent of the Financial Element is to develop realistic financing constraints and opportunities. With this financing information, alternatives are developed and used by state and local decisionmakers in funding planned projects**.

CTC RTP Guidelines § VIII (emphasis added).

The Guidelines proceed to elaborate specifically on the "Consistency Requirement."

> The RTP elements must be consistent within the Plan and consistent with other transportation plans in the region (i.e., local, state, etc). Specific consistency requirements relating to the Financial Element include the following:
> - The first four years identified in the Financial Element shall (Government Code 14525-as per SB 45) be consistent with the four-year STIP Fund Estimate adopted by CTC;
> - The **Goal, Policy and Objective Statements shall** (Government Code § 65080(b)(1)) **be consistent with the Financial Element** and;
> - Projects included in the ITIP and RTIP shall (Government Code § 14526(a)) be consistent with the RTP.

CTC RTP Guidelines § VII.B (emphasis added).

MTC impermissibly seeks to adopt the "Vision" Element into the RTP's Action Element without observing the requirements and limitations imposed by the Financial Element. MTC is without

20-B
(cont.) authority to allow the RTP's Goals, Policy and/or Objectives Statements to exceed the constraints imposed by the Financial Element. Further, this practice has obfuscated a clear and meaningful comparison of the alternatives in the CEQA document and process.

TRANSDEF is cognizant of Government Code § 66512, and observes that this MTC-specific statute does not supplant the general requirements of RTP Financial Elements, but instead requires additional revenue and expense analysis and proposal "for each segment of the [regional transportation] system, including the amount and sources of revenues necessary to construct and operate that segment." Government Code § 66512. It is patently obvious that the MTC-specific requirements reflected in Title 7.1 are in addition to, and do not supplant the other RTP content and analytical requirements (i.e., fiscal constraint) that apply to all RTPs in the state.

Further, the phrase "without regard to any constraints imposed by law on expenditures from such sources" clearly refers to a different legal constraint, apart from the fiscal constraint required by state and federal law.

Statutes must be interpreted to give effect to the "obvious nature and purpose of the statute" and "harmoniz[ing] the various parts of a statutory enactment . . by considering the particular clause or section in the context of the statutory framework as a whole." *People v. Hammer* (2003) 30 Cal. 4th 756, 762-763 (internal citations omitted). Were § 66512 to redefine the form of fiscal constraint required to be included in MTC's RTP, that RTP would be inconsistent with all other RTPs in the state in a most fundamental aspect. Assuming, *arguendo*, that MTC's RTP was intended to be inconsistent with the detailed requirements of Government Code § 65080, et seq., such an RTP would be plainly illegal and unacceptable for federal TEA-21 purposes. "When uncertainty arises in a question of statutory interpretation, consideration must be given to the consequences that will flow from a particular interpretation. [Citation.] In this regard, it is presumed the Legislature intended reasonable results consistent with its expressed purpose, not absurd consequences." *Harris v. Capital Growth Investors XIV* (1991) 52 Cal. 3d 1142, 1165-1166. It is illogical and runs counter to the integrated statewide Regional Transportation Planning requirements to isolate MTC and allow the Bay Area to operate under such a fundamentally different set of assumptions and planning requirements from the rest of the state.

MTC's interpretation of § 66512 must also be governed by the rule of statutory construction that each word or phrase in a statute should be given some meaning and surplusage avoided. *Santa Clara County Local Transportation Authority v. Guardino* (1995) 11 Cal. 4th 220, 234-235. Elevating § 66512 to preeminent status renders to surplusage the cohesive and comprehensive regional transportation planning process required of all areas of the state by the California Legislature.

It is thus amply clear that MTC may not bifurcate the RTP and its fiscal element into two different versions for state and federal law purposes.

20-C 3. MTC Cannot Allow the Inclusion of The Optional and Unfunded "Vision" Element to Defeat CEQA's Required Selection of the Alternative With the Least Significant Environmental Impacts

As noted above, CEQA requires a stable and finite project description for the environmental review document to properly evaluate project impacts and inform decisionmakers of feasible alternatives that can achieve the project objectives with less adverse environmental consequences. MTC is without authority to piecemeal the RTP into two inconsistent plans, and rely on a fiction of state law approval to shield the EIR from a fair and meaningful comparison of alternatives.

MTC has a duty under both federal and state law to consider and ultimately adopt alternatives to plans that have less environmental impacts. As described by the CTC RTP Guidelines:

> TEA-21 requires the transportation planning process to consider projects and strategies that protect and enhance the environment. One of the primary goals of CEQA is to prevent harmful environmental effects by requiring agencies to avoid or reduce, when feasible, the significant environmental impacts of their actions. Protection of the environment is an important public policy goal. It can also be a critical element of public acceptance of projects. Therefore, RTPs should seek to develop and implement alternatives that will minimize environmental damage.

CTC RTP Guidelines § VIII

CEQA's fundamental premise is that decisionmakers should not adopt a project if an alternative project can achieve the project's principal objectives with significantly less environmental impacts. As detailed elsewhere in public comment, the DEIR improperly employs an ill-defined alternatives analysis that fails to adhere to the confines of the project before the agency, the agency's legal authority, and economic constraints. Eliminating these boundaries defeats the effectiveness, and the adequacy of the alternatives analysis.

MTC has an obligation under CEQA to adopt the environmentally preferred alternative when that alternative is feasible, achieves the project's purposes and involves less significant adverse environmental impacts.

As MTC is without authority to adopt a fiscally unconstrained RTP for purposes of state and federal transportation planning purposes, the DEIR's alternatives analysis must be revised to perform a fair evaluation and comparison of the various alternatives of the project that MTC is authorized to adopt and which meet the project objectives of meeting state and federal requirements. A fiscally unconstrained plan cannot be adopted as the region's RTP under either state or federal law. Only a fiscally constrained RTP may be adopted, and thus, for CEQA purposes, the project definition, objectives and thus the alternatives analysis can only evaluate

20-C (cont.) fiscally constrained RTP. The fiscally constrained plan is the RTP for CEQA purposes. Until the environmental review document is revised, the EIR misinforms the public and decisionmakers and fails in its most fundamental function.

Sincerely,

Marc Chytilo

CC: TRANSDEF

TRANSPORTATION SOLUTIONS DEFENSE AND EDUCATION FUND

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January 6, 2005
By E-mail & U.S. mail

Steve Heminger, Executive Director
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101 Eighth Street
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Letter 21

Re: *Draft Transportation 2030 Plan DEIR*

Dear Mr. Heminger:

The Transportation Solutions Defense and Education Fund, TRANSDEF, herein offers its comments on the 2005 Regional Transportation Plan Draft Environmental Impact Report (DEIR). TRANSDEF is very appreciative of the efforts made by MTC staff to analyze the TRANSDEF Smart Growth Alternative, both in the DEIR and in the Equity Analysis. The publication of the DEIR marks the completion of TRANSDEF's principal goal over the past decade: to have MTC consider a strategic approach to regional transportation planning. The DEIR analysis now offers MTC evidence of the value of policies it has not previously considered. However, the significance of that evidence is diminished and blurred by some of the key decisions made in the DEIR analysis. These comments are directed at clarification of the results of the analysis.

21-A <u>Selection of Preferred Alternative</u>

The Comparative Impact Analysis is incorrect when it states "MTC may adopt any of the alternatives included in this EIR." (p. 3.1-6) It may not adopt the Proposed Project as its Regional Transportation Plan, as that term is defined in federal law. From the very beginning of the scoping process up to the time of this comment letter, TRANSDEF has consistently stated that MTC was incorrect in defining as its Proposed Project the fiscally unconstrained alternative variously known as "Big Tent" or "Vision Element." On page 6 of Appendix A, TRANSDEF is quoted as saying at the scoping session that "Proposed Project cannot be adopted by the MTC because MTC is required by law to adopt a fiscally constrained plan." TRANSDEF is firm in its assertion that the proper alternative to which all the other alternatives should have been compared is the Fiscally Constrained Alternative. That alternative is what MTC will be adopting in the discharge of its Regional Transportation Planning Agency or Metropolitan Planning Organization responsibility under state and federal law. As such, MTC is required to make the Fiscally Constrained Alternative the Project under CEQA. TRANSDEF's attorney will submit a letter under separate cover with further exposition of this matter.

This issue is central to the value of the DEIR in the planning process, because the process should force decisionmakers to decide amongst choices actually available to

them. It is legally incorrect for an RTP to be based on Big Tent revenues that are not available. That creates expectations that are impossible to fulfill. Regional transportation planning needs to be about deciding among realistically available options.

21-B Selection of Environmentally Superior Alternative

The discussion on "Environmentally Superior Alternative Amongst Alternatives Evaluated" on page 3.1-36 is entirely unique amongst the many dozens of EIRs analyzed by TRANSDEF. We have never seen the phrase "if all impact areas are artificially given equal weight." We believe MTC created this locution out of whole cloth for the purpose of withholding the spotlight and laurels from the TRANSDEF Smart Growth Alternative.

The entire purpose of environmental review is to consider all impact areas. The environmentally superior alternative is the alternative that has the least negative impacts on the environment. Period. It is clear from Table 3.1-23 that the TRANSDEF Smart Growth Alternative is the environmentally superior alternative.

The only provision under CEQA for the elimination of an alternative from consideration as the environmentally superior alternative concerns the No Project Alternative. Other than that, CEQA does not allow the elimination of alternatives based on achievement of proposed project objectives at this stage of the analysis. That criterion becomes operative only at a later step, at the time of the selection of the Preferred Alternative. The preparers of the environmental document are not allowed to consider project objective achievement for the selection of environmentally superior alternative. If policymakers decide to approve a Preferred Project that is not the environmentally superior alternative, they may write a Statement of Overriding Considerations indicating that the significant unavoidable environmental impacts of a project were necessary in furtherance of other goals.

21-C Improper Definition of No Project Alternative

As has been its practice with past RTPs, MTC has again defined the No Project Alternative to include projects that have not yet been built and are not under contract. These so-called "Committed projects" clearly are "activit[ies] directly undertaken by any public agency..." "which ha[ve] a potential for resulting in ... a direct physical change in the environment." CEQA Guideline 15378(a). There is no legal authority for excluding "committed" projects from the build alternatives being analyzed in the RTP EIR. There is no policy justification for this position either. Its net effect is to shrink the scope of the project, making it appear that decisionmakers' discretion can only have a minor impact on the future of the region. The TRANSDEF Alternative explicitly maximizes that scope.

21-D The Impacts of Growth Require Mitigation

The EIR predicts a 40% increase in VMT between 2000 and 2030 (Table 2.1-8) yet finds no impact on the environment, and therefore, nothing to mitigate! This is preposterous. That kind of increase added to a system that is already beyond capacity is incomprehensible. Similarly, Table 2.1-13 predicts a 90% increase in freeway VMT at LOS F. Finally, Table 2.2-19 predicts a 25% increase in $PM_{2.5}$ and a 35% increase in

21-D (cont.) PM_{10}. Particulates have serious human health impacts. The EIR should find that these increases beyond current conditions are themselves a transportation impact, requiring mitigation measures to reduce the impacts to the fullest extent possible. The analytic method of comparing impacts only to the No Project Alternative is profoundly flawed. The cumulative impacts of growth need to be compared to current conditions, be found to be significant, and be found to require mitigation to the fullest extent possible.

Along similar lines, the mitigation for the expansion of urban areas, Mitigation Measure 2.3(f), is much too weak and non-directive. Please include: "MTC shall use its best efforts to maximize the percentage of new development completed as infill, and minimize the conversion of greenfields."

21-E <u>TRANSDEF is a Fiscally Constrained Alternative</u>

During TRANSDEF's presentation of its Alternative to the Planning and Operations Committee, senior MTC staff commented that the TRANSDEF Alternative was not fiscally constrained. We beg to differ, for two independent reasons. The first, and most compelling, is that MTC staff determined that the TRANSDEF Alternative cost a net $6.2 billion less than the Fiscally Constrained Alternative plus Sales Taxes alternative ($10.4 billion savings from deleted projects minus $4.2 billion in new transit service costs; pp. D-3 & 4). Of the $5.7 billion in proposed sales taxes that appeared on the ballot last November, only Solano County's tax proceeds need to be subtracted from that $6.2 billion. There's plenty of money here to pay for whatever the Alternative calls for, including projects in Solano and Napa, which had been assumed to eventually pass a sales tax measure.

The only other project in the TRANSDEF Alternative whose funding could be questioned is California High Speed Rail (HSR). Because MTC's modelling was unable to predict the transit mode share for interregional trips from the Central Valley, it assigned none. The remaining intraregional ridership levels may not be all that significant, making this project a non-issue. Has staff broken out the model result for HSR?

TRANSDEF included HSR in its fiscally constrained Alternative under guidance given by Caltrans to the Fresno Council of Governments at a meeting held at District 6 headquarters in April, 2004. The COG was told to put HSR into their RTP under the assumption that the HSR project was 100% state funded, with no costs borne by local agencies. TRANSDEF believes this guidance is applicable to the Bay Area.

21-F <u>Feasibility of the TRANSDEF Smart Growth Alternative</u>

Various CMAs have submitted comments complaining that projects in their Countywide Transportation Plans have been excluded from the TRANSDEF Alternative. These comments probably never would have been made, had the Alternative not seriously outperformed the MTC alternative. They argue that the TRANSDEF Smart Growth Alternative is infeasible and should not be included in the EIR. They are wrong.

21-F
(cont.) MTC is required to put into its RTP only those elements from local transportation plans that are consistent with the RTP. There is no requirement for MTC to adopt local plans wholesale. It is authorized to come up with a plan that is optimal for the region. Under the 1999 California Transportation Commission RTP Guidelines,

> A reasonable alternative analysis should include alternatives that offer demand management and land use options combined with non-motorized/rail/bus/HOV/roadway improvements in differing configurations, all of which are compared against one another. From the identified alternatives, a "ranking" process, using specific criteria and environmental protectiion and stewardship values should be used to ascertain the preferred alternative. (p. 14)

MTC has never done this in the past, despite vigorous protests from TRANSDEF and its colleagues. For the first time, the 2005 RTP contains an alternative with different land use and a different transportation network. While still not fully compliant with the Guidelines (more alternatives with different policy and modal configurations are needed), this RTP constitutes a good start at looking to optimize transportation results and reduce environmental impacts. "An EIR is required to consider alternatives that would avoid or reduce significant environmental effects of projects identified over the 20-year life of the RTP." 2003 Supplement to the 1999 Regional Transportation Plan Guidelines, (p. 18).

Without a real alternatives study, there can be no significant policy debates, for example, on the desirability of the dispersion of employment throughout the suburbs. There are very difficult tradeoffs faced by the Bay Area that can only be addressed from a regional perspective: congestion, public infrastructure costs, out-of-pocket commute costs, agriculture, the environment and our health.

A recent state law, Government Code § 65080.3, speaks directly to the CMAs' concerns. It specifically authorizes RTPs to have an

> alternative planning scenario [that] shall accommodate the same amount of population growth as projected in the plan but shall be based on an alternative that attempts to reduce the growth in traffic congestion, make more efficient use of existing transportation infrastructure, and reduce the need for costly future public infrastructure. § 65080.3(b)

As the DEIR documents, the TRANSDEF Smart Growth Alternative unquestionably accomplishes those goals. It uses land use assumptions that approximate the Smart Growth Scenario created by the extensive public outreach of the Regional Agencies' Smart Growth process. The Alternative identifies a policy direction that would be highly

21-F (cont.) beneficial for the region to adopt. The same law further creates a process for developing a regional consensus around that policy direction. It requires that

> The alternative planning scenario and accompanying report shall not be adopted as part of the regional transportation plan, but it shall be distributed to cities and counties within the region and to other interested parties, and may be a basis for revisions to the transportation projects that will be included in the regional transportation plan. § 65080.3(f)

The fact that the alternative's land use is not consistent with local general plans is a red herring. *Projections 2003* is not consistent with local general plans, either. The purpose of regional planning, and the law cited above, is to experiment with how land use plans might be changed so as to have a more sustainable future. By evaluating alternative planning scenarios, local governments are able to learn how their plans interacts with the region as a whole, and how the future of all the residents of the region can be improved. The argument that the alternative does not meet the feasibility test under CEQA because it would require general plan amendments is wholly without merit. Feasibility has nothing to do with MTC's obvious lack of authority over land use decisions. Incentives can be created to reward jurisdictions that adopt regionally complementary planning decisions.

The feasibility of funding new transit services is challenged on pages D-4 & 5 by the claim that "These new lines will likely require new sources of operating funds, which would not be available in [sic] under the financially constrained element of the Proposed Project." With the multi-billion dollar surplus identified on pages D3 & 4, it is clear that there is no shortage of funds. They can be swapped with other transportation agencies that are using sales tax funds for construction projects, to convert the funds to the proper color of money.

21-G <u>Alternatives Analysis</u>

Are the differences in travel times per trip (Table 3.1-6) statistically meaningful? Or are they within the modelling margin of error? TRANSDEF suspects that an 18 second total trip time difference between its Alternative and the Proposed Project is insignificant in terms of personal preference or of even being noticed.

Similarly, is a half minute variation in the Average Delay per Vehicle per Day significant, or is it within the margin for error? Would it be noticeable in the life of a 2030 resident?

Why are the statistics about delay repeated in the section on Daily Vehicle Trips (p. 3.1-17)? Is it because the TRANSDEF Alternative looks too good? These statistics are redundant and out-of-place.

The TRANSDEF Smart Growth Alternative was clearly superior in meeting transportation objectives, as measured by reduction in Daily Vehicle Trips, reduction in VMT,

21-G (cont.) decrease in auto use, increase in transit use, increase in biking, increase in walking, and increased accessibility to jobs by either auto or transit, even when compared to the vastly more expensive Proposed Project. However, that is not the proper comparison, as argued in the first section of these comments. The Smart Growth Alternative is even more outstanding when compared to the Fiscally Constrained Alternative, especially for the litmus tests of Daily Vehicle Hours of Delay and VMT at LOS F. Table 3.1-23 must be revised to indicate that the TRANSDEF Smart Growth Alternative is much more favorable than the Proposed Project (as that is redefined). "Much more favorable" is proposed here, because of the exceptionally cost-effective increase in accessibility to jobs, both by transit and by auto.

21-H The discussion of Community Disruption on page 3.1-23 is seriously flawed. First of all, the impacts that matter are the cumulative impacts, not the impacts of individual projects. The cumulative impacts of regional growth are definitely minimized by the TRANSDEF Smart Growth Alternative. There are more suburban travel analysis zones that remain unchanged in population (and are therefore undisrupted) than in *Projections 2003.* Infill development is targeted at failed malls and strip centers, where no one is living, therefore avoiding disruption. There are many fewer open space acres urbanized, eliminating large cumulative visual impacts, habitat loss and agricultural land loss. The impacts of the TRANSDEF Smart Growth Alternative should be re-evaluated on page 3.1-23, and for Table 3.1-23 as well.

21-I In Table 3.1-16, the TRANSDEF Smart Growth Alternative has the lowest amount of lane miles with a 3 db increase in noise since 2000. This is not only a better indicator of cumulative impacts to human observers than the number of lane miles over 66 dBA, but is more consistent with the significance criteria proposed for the Noise section. The Table 3.1-23 entry for noise should be reconsidered.

21-J The discussion of Geology and Seismicity asserts that the TRANSDEF Smart Growth Alternative excluded projects that would benefit seismic safety. As a policy matter, the Smart Growth Alternative included all proposed safety projects. Please identify specifically what is meant here, and what retrofits in the Proposed Project cause it to have the least seismic safety hazards of all alternatives. Please clarify the conflict between the text on page 3.1-30, which selects the No Project and TRANSDEF Smart Growth Alternatives as superior for impacts on soil resources, the Proposed Project for seismic safety and Table 3.1-23, which selects the Fiscally Constrained Alternative as superior for both.

21-K The discussion of growth inducement is confused:

> From the perspective of a jobs/housing balance and the growth-inducing impacts that imbalances may create, the residential land use assumptions made for the TRANSDEF Smart Growth alternative appear to exacerbate imbalances

21-K (cont.)

> at the subregional level because they are not accompanied by development of employment opportunities. (p. 3.1-34)

This statement is inconsistent with the transportation impact analysis that determined that the TRANSDEF Smart Growth Alternative succeeded in increasing accessibility to jobs precisely because of redistributing regional growth. Having substantially more jobs within reach can't possibly be an indication of a jobs/housing imbalance problem:

> Amongst the alternatives, the TRANSDEF Smart Growth alternative results in the greatest improvement in job access by auto and transit (e.g., for jobs within 45 minutes ...) compared to the Proposed Project. This improvement in accessibility to jobs is due to the approach taken by TRANSDEF to redistribute regional growth and further intensify new development densities beyond ABAG's *Projections 2003.* (p. 3.1-13)

Furthermore, another part of the analysis suggests that strategies like the TRANSDEF alternative might do even more than the Proposed Project in deterring regional growth inducement outside of urban areas:

> In some areas, improved transit might be one factor facilitating urban infill development and improving jobs/housing balance, and to the extent that occurs, the Transportation 2030 Plan could support infill development or urban redevelopment. Improving the jobs/housing balance in turn acts as a deterrent to urban sprawl and regional growth inducement outside of urban areas. (p. 2.11-10)

Please review these citations and consider revising the analysis on page 3.1-34.

The Equity Analysis Report failed to provide an Alternatives Analysis. Inexplicably, the Report stated

> First a comparison can be made among all the Transportation 2030 alternatives, looking to see which alternative provides the greatest benefit to communities of concern and the remainder of the Bay Area. Second, comparisons can be made between communities of concern and the remainder of the Bay Area to see whether communities of concern share equitably in the benefits associated with each of the alternatives without bearing a disproportionate share of the burdens. Each measurement below focuses on the second comparison.... (p. 5-1)

Why was the comparison not made? Was this omission intended to avoid crediting the TRANSDEF Smart Growth Alternative as the alternative providing the greatest benefits for communities of concern and the remainder of the Bay Area?

21-L Modelling Assumptions: Gas Prices, Bridge Tolls

There were several problems caused by the model's limitations that need to be explained in print. The model was unable to develop interregional transit trip numbers, due to the absence of data. The FEIR needs to state that the Smart Growth Alternative overestimates the auto volumes coming into the region, and into Silicon Valley, due to the model's limitation of not being able to predict interregional transit trips.

Similarly, because the model cannot represent parking cash-out (the financial benefit to the employee not using free parking), as a surrogate this pricing mechanism was modelled as a parking charge. The problem is that this charge showed up in the text, described as an average increased cost of driving, and was also used in analyzing user benefits for the Equity Analysis. The FEIR needs to correct the misstatements, and, if possible, in its calculations, show the parking cash-out benefit as income to transit, bike riders, pedestrians and (with a share of the benefit) carpoolers.

This error shows up on page 3.1-7 as an alleged 15.4% increase in driving costs, and a claim that transit users are benefitted while auto drivers pay more. Where the user benefit analysis now shows the TRANSDEF Alternative with nearly three times the benefits of the Fiscally Constrained Alternative for communities of concern, it is nearly even with the Project benefits for the remainder of Bay Area communities. That should change dramatically if the driving cost is corrected.

Some of the assumptions used in modelling were questionable. Transit fares were projected to increase at the rate of inflation, while bridge tolls remain flat through the Plan period. This introduces a systematic bias, where transit becomes relatively more expensive than driving, over time. Because it skews the results away from transit mode share, it must be corrected, and the model re-run.

We could not find the assumption for gas prices in the DEIR, but note that the assumption in the Conformity Analysis, which must use the same assumptions, is for gas prices that rise with an assumed constant inflation factor that could not be located. The Analysis has the curious statement that "However, the gas prices are higher than we assumed." This indication of the volatility of gas prices points to the likelihood of underestimating the cost of gas. An article (attached herein) from the December 29, 2004 San Francisco Chronicle details the influences of global politics and economics on the price of gasoline. It is highly likely that, on the basis of the facts stated in the article, that the RTP assumptions for gas prices will severely underestimate future costs, thereby creating inaccurate predictions as to future mode splits and demand for transit. This can only be resolved by running the model again with a much higher gas price, to see how much the operation of the regional system is affected.

21-M Specific Comments

The Proposed Project had half the Average Weekday Daily Vehicle Hours of Delay of the Fiscally Constrained Alternatives in Marin County. Is this because of Project 21030, I-580/U.S. 101 interchange improvements and new freeway-to-freeway connector from westbound I-580 to northbound and southbound U.S. 101? If so, the inclusion of this project is problematic. Extensive discussions about this connector have led to the conclusion amongst many that bringing two lanes from 580 into 101 northbound (or southbound) would completely overload the facility. The current one lane configuration acts as a mainline meter, preventing an already saturated freeway from breaking down completely.

21-N MTC should be doing modelling with a horizon 50 years in the future. That is the state of the art. The changes between the alternatives analyzed here would be most evident 40 years out. A 25 year horizon ignores the fact that society has to continue after that.

21-O 3.1-4: *Projections 2003* was influenced by the Smart Growth Project, but most definitely does not represent its outcome. It accomplishes roughly half the goal of preventing further incommuting from the Central Valley.

21-P Suggested Text Changes

The work of TRANSDEF in creating the Smart Growth Alternative should be credited in the FEIR either as a source in the bibliography, preferably as the website Transdef.org or as part of the preparers' consultant team.

[Additions or corrections are in italics]

21-Q 3.1-4: *Communities* for a Better Environment (CBE)

21-R 3.1-7: Please clarify how the dollars cited for costs compare with current year dollars.

21-S 3.1-11: Insert *new*. "Notably, the TRANSDEF Smart Growth alternative reduces *new* freeway HOV lane miles by 50% compared to the Proposed Project."

21-T D-1: *Communities* for a Better Environment (CBE)

21-U D-1: The sentence "However, TRANSDEF reduces the total residential land use by ... " fails to clearly convey that land is actually being saved. Please change it to "However, TRANSDEF reduces the total *land area developed* for residential ~~land~~ use by ... "

21-V D-1: (greater than 20,000 persons per square *mile*)

21-W D-2: To be consistent with the materials TRANSDEF provided the consultant team, please add: "TRANSDEF believes that MTC has a role in accomplishing these land use changes by withholding certain federal and state discretionary funds from local jurisdictions that do not make the necessary revisions to their local plans*, and providing*

other discretionary funds as incentives to jurisdictions that revise their local plans to complement the region."

21-X D-3: Transit projects should include "New Diesel Multiple Unit (DMU) for the East Contra Costa County (Delta Corridor), *Sonoma-Marin (SMART)* and Vallejo-Napa."

21-Y D-4: Change "will" to "to" in the first sentence of Pricing Programs.

21-Z D-5: A line of description apparently got lost: "*Rapid buses run along revitalized transit arterials through most of the Peninsula cities*."

21-AA D-5: "...buses will have more doors, *to* make loading and unloading faster."

21-BB D-6: Similarly, the end of this sentence was lost: "Stockton Street in Chinatown *is given over exclusively to delivery vehicles and transit service*."

21-CC The table on page D-8 appears to contain a series of errors. We are unable to find any documentation that the RM 2 Bay Area Region projects were excluded by TRANSDEF. Please verify that these projects were transmitted to TRANSDEF and selected by us for exclusion.

21-DD The maps in Appendix D are very difficult to read. This is partly a function of a color scheme, where data ranges are not distinguished well from each other because the colors are overly similar, and partly a function of too many data levels. A simple 3 level map would be more communicative (especially for the regional map), where white denotes a band of values that do not change much (e.g., for density maps, this might cover the range from -10 to +10). Another color would indicate an increase in density beyond that base level, and the third sharply contrasting one would indicate a decrease.

21-EE Figure D.2-3 should be "Comparison of *Employment* Density-2030"

21-FF <u>Conclusion</u>

The TRANSDEF Smart Growth Alternative produced better results across the board: it is the Environmentally Superior Alternative; the least expensive alternative; and it is the fiscally constrained alternative with the best transportation results and the most user benefits for both low income communities and for the general public. These results are striking enough to warrant MTC incorporating as many elements as possible into the Final RTP. This could constitute a commitment to create incentives up to the task of moving the region beyond the cautious *Projections 2003* to fully implement the Regional Agencies' Smart Growth Strategy. Pricing programs could provide near-term benefits to transportation: encouraging local jurisdictions to offer re-use entitlements on surplus parking areas in exchange for commitments to permanent parking cash-out, as a method of introducing pricing to the commute trip. The other key program would be encouraging local jurisdictions to require Ecopass programs for new housing being built near transit, as mitigation for lower parking ratios and traffic generation.

21-FF (cont.) These low-cost educational programs were demonstrated by this DEIR to have great potential in reducing congestion and VMT. The other major elements of the Alternative were the use of cost-effective transit and ending highway widening as a reasonable response to congestion. Clearly, these will require MTC to engage in the building of a consensus for a profound change to the bedrock principles of transportation planning in the Bay Area. By fairly evaluating the TRANSDEF Smart Growth Alternative, implementing as much of it as possible, and circulating a report to local jurisdictions on its benefits, as required by Gov't Code § 65080.3(f), MTC can do its part on behalf of the residents of the region to plan for a better future.

TRANSDEF is appreciative of MTC's cooperation in analyzing the Smart Growth Alternative, and stands ready to assist as needed.

Sincerely,

David Schonbrunn,
President

Attachment

2005 STORIES TO WATCH

Oil and politics

Gasoline prices depend on forces around the world

- David R. Baker, Chronicle Staff Writer
Wednesday, December 29, 2004

Oil prices went through the roof in 2004, pushed up by rising demand, especially from China, and turmoil in producing countries. These trends will persist in 2005 and are likely to keep energy prices elevated..

For those of you longing for cheap gasoline in the new year, don't get your hopes up.

Many analysts expect crude oil prices to continue easing in 2005, scaling back from this year's jaw-dropping highs of $55 per barrel. Oil already has fallen roughly 24 percent from that record peak. But few analysts expect prices to fall back to where they were a year ago, around $32 per barrel.

The reasons for continuing high oil prices are a potent mix of politics and economics, including:

-- Continued growth in China, whose surging economy was a big reason for 2004's high prices.

-- OPEC's recent promise to cut production as a way to support higher prices.

-- Continued Middle East turmoil, perhaps including a confrontation between the United States and Iran over the oil-rich country's nuclear program.

-- Simmering political problems in Nigeria and Russia, which helped push up oil prices this year and are far from resolved.

"All those could reoccur, and that doesn't mention how cold the winter's going to be," said John Felmy, chief economist at the American Petroleum Institute, an oil industry association.

Nevertheless, there remain reasons for hope.

While most analysts expect China's ravenous economy to keep growing, they predict the rate of

growth will slow. They make the same forecast for the world economy as a whole. In the past month, some even talked of a temporary glut on the oil market. And the amount of crude pumped from several key regions, including Angola, Azerbaijan and Russia, should increase next year.

"It doesn't mean we're going to go back to $25 oil," said Jim Burk-hard, director of global oil market research at Cambridge Energy Research Associates. "It just means prices could ease a bit."

Guessing the future price of oil, the resource every modern economy needs but few produce, is a pessimist's game. Wars, weather, diplomatic tension, economic reports -- all move the price up and down. For an illustration, look no further than 2004.

-- China and the world economy -- The biggest reason for this year's oil price spike was economic growth, the world's in general and China's in particular. Strong economies burn oil in factories, in cars, in homes. In 2004, the world consumed about 82.6 million barrels per day, up 3.1 percent from the previous year, Burkhard said.

That jump is the highest since 1978, he added. Demand usually grows about 1.1 percent from one year to the next.

"There was no shortage of crude oil," Burkhard said, "but the system was stretched tight."

Next year, Burkhard predicts about 2.2 percent growth in demand as China's torrid economic expansion cools and the rest of the world slows. "The global economy is cyclical," he said. "It does look like we're coming off the peak in demand growth."

-- The threat of war -- Violence in Nigeria's oil-rich river delta is nothing new. But when a rebel leader threatened in late September to attack Western oil companies in his campaign against the government, markets worldwide took notice. Oil prices scaled past $50 per barrel before easing on word of a truce.

Nigeria wasn't the only country making oil traders nervous. In Iraq, insurgents kept blowing holes in oil pipelines as a way to starve the country's post-invasion government of money.

In neighboring Saudi Arabia, Islamic militants killed 22 oil workers in late May in Khobar, a hub of the desert kingdom's petroleum industry.

The prospect of a terrorist campaign against the Saudi oil industry sent a quick jolt through markets. The price of crude on the New York Mercantile Exchange shot up 6.1 percent to $42.33, a record at the time. It fell 5.6 percent the next day as analysts called the initial market reaction to the attack overblown.

The specter of violence in each of those countries will last into 2005 and beyond. This kind of lingering threat, however, often passes as normal in the petroleum industry, because many of the world's oil-producing countries have long histories of conflict.

"We are at the mercy of some very unstable regimes in some nasty parts of the world," said David Goodstein, vice provost and professor of physics at the California Institute of Technology, whose book "Out of Gas" deals with the world's dwindling oil supplies.

-- Blame the weather -- When Hurricane Ivan slammed into America's Gulf Coast in September, it did significant damage to the country's oil production.

As workers fled offshore platforms in advance of the storm, about 1.3 million barrels per day dropped out of production. At first, most analysts assumed the disruption would be minor. Instead, the network of platforms and pipelines that lace the gulf took a serious hit that is still being repaired.

By mid-December, production was nearly 9 percent below the region's usual 1.7 million barrels per day, according to the federal government. San Ramon's ChevronTexaco, for example, remains about 50,000 to 60,000 barrels per day below its normal level.

The disruption, which started in September right before Nigerian rebels threatened to target oil facilities, helped push crude prices to this year's highs. For Goodstein, it's an example of how even simple problems in an oil- producing country can drive up the price.

"We had a huge spike this year because of storms in the Gulf of Mexico," he said. "Think what would happen if the Saudi regime were overthrown."

He doesn't consider such a revolution in Saudi Arabia likely, he added.

-- Wild cards -- Oil analysts trying to guess the direction of prices have other clues to consider.

OPEC has said it will cut production by 1 million barrels per day to shore up prices. Although OPEC often doesn't follow its own production quotas, at least not precisely, it still has enormous leverage in keeping prices high.

Growth in Russia's oil output could be slowed by President Vladimir Putin's moves to reassert state control over the industry. Earlier this month, his government placed part of Russia's largest oil company, Yukos, up for auction after claiming the firm owed $28 billion in back taxes.

A previously unknown bidder snapped up Yukos' most lucrative oil fields, then sold them to a state-run firm. The sale prompted protests from the U.S. State Department and raised questions about Russia's environment for business investment. Putin brushed off those concerns.

Tensions between the United States and Iran over the Islamic republic's nuclear program could worsen. The world's fourth-largest oil producer, Iran lies along the world's most vital oil shipping lane -- the Persian Gulf. That makes any confrontation with Iran a real concern for the industry, said Jamal Qureshi, an oil market analyst with the PFC Energy consulting firm.

The possibility, so far, remains just speculation among analysts. The Bush administration,

Qureshi said, has not yet shown a clear strategy toward Iran.

"They don't have a lot of faith in diplomacy," he said. "The risk of a military confrontation is out there."

E-mail David R. Baker at dbaker@sfchronicle.com .

Letter 22

From: Bestphones <bestphones@lupac.net>
To: <info@mtc.ca.gov>
Date: 1/7/2005 7:23:45 PM
Subject: Comments on RTP

22-A MTC is required by Section 109 of the Federal Aid Highway Act and 23 CFR 450.316 to adopt a plan and projects ³in the best overall public interest.□ Since TRANSDEF□s alternative is less costly and has much greater benefits MTC must either adopt it or develop a superior alternative. CEQA requires adoption ofan alternative that is legally viable and feasible. Since the alternative MTC wishes to implement does not meet federal law it is not feasible.

22-B Section 109 of the Federal Aid Highway Act and 23 CFR 450.316 require that the products of the transportation planning process fully address environmental impacts, compare them with benefits and choose projects ³in the best overall public interest.□ More specifically they are required to: 1) determine the ³possible adverse economic, social and environmental effects relating to any proposed project,□ 2) determine "the costs of eliminating or minimizing such adverse effects,□ 3) consider the costs of eliminating or minimizing the adverse effects together with ³the need for fast, safe and efficient transportation□ and 4) make a final decision on the project ³in the best overall public interest.□ The planning process products, including the EIR, have not fully complied with step 1, have not addressed step 2 in any meaningful way, and have not addressed step 3 or 4 at all.

22-C Section 109(h) of the Federal-Aid Highway Act and the statute□s implementing regulations require a four-step evaluation of impacts and mitigation measures to ensure that decisions ³are made in the best overall public interest.□ One of the specific requirements is to estimate the cost to eliminate or minimize environmental damage. Then those costs must be compared to project benefits to determine what is in the best overall public interest. In order to assert that proposed projects are worth the costs there needs to be an estimate of their benefits in a form that can be compared to the costs, both the environmental costs and the full direct projects costs. To do this the benefits need to be stated in economic terms, since the costs are required to be stated in economic terms. DOT has guidance for this in: US DOT, Economic Analysis Primer, August, 2003. MTC must perform this analysis and use it to decide what to adopt.

TRANSPORTATION AND LAND USE COALITION

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Working together for a sustainable and socially just Bay Area

Letter 23

Steve Heminger, Executive Director
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

Re: *Draft Transportation 2030 Plan*

Dear Mr. Heminger:

The Transportation and Land Use Coalition (TALC), a collaboration of over 90 environmental, social justice and community groups throughout the Bay area, is happy to offer its comments on the Draft 2005 Regional Transportation Plan (RTP). Unlike the two previous RTPs, TALC is very pleased with many of the new directions in the 2005 RTP. In particular, we are very grateful for the approval of the new Regional Bicycle and Pedestrian Program, funding for the Lifeline Transportation Program, and the growing emphasis on transit-supportive land use and Smart Growth. The RTP is also highly readable, and does an excellent job of articulating the complicated world of transportation policy, funding and the emerging, more holistic philosophy of MTC in confronting these issues.

23-A TALC also appreciates the work of MTC staff in evaluating the TRANSDEF Smart Growth Alternative, and hopes that the analysis will be useful in supporting a further shift towards policies that improve the environment, social equity, and quality-of-life. In the years to come, we believe that it will be important to continue to highlight some of the access and environmental benefits displayed by the TRANSDEF outcomes.

There are also a few issues that still need to be addressed. The first is the transit-supportive land use policy for conditioning Resolution 3434 funds. Second, there are some oddities, and we believe inaccuracies, in Santa Clara County's expenditure plan. We go into greater detail later in this letter.

The setting aside of $200 million for regional bicycle/pedestrian projects is a major step forward to providing access for these least expensive and most environmentally friendly transportation choices. We appreciate that the RTP acknowledges that this is just a very small down payment, with a total project cost expected to rise to the least $1.5 billion when the full bill for the countywide bicycle plans is added to the Regional Bicycle Plan. It will be even higher when MTC completes the regional pedestrian plan.

TALC greatly appreciates that MTC has finally funded the Lifeline Transportation Network as its own program in the RTP. Again, the $216 million needs to be understood as a small down payment. We hope to work closely with MTC to advocate at the local, regional and state level for additional funding for programs and operations that help cover the shortfall. MTC needs to demonstrate a clear and continued commitment,

understanding that $9 million per year and is is about 8% of the total identified need at this time.

For the Bay Area to get more for its money, and preserve more of its quality of life, MTC will need to become an active regional advocate, representing the region in local jurisdictions' planning decisions, encouraging them to 'think regionally,' especially in controversial cases where a local jurisdiction is harming the region. In particular, MTC needs to be willing to withhold transportation funds where a land use decision would undermine the effectiveness of an investment.

MTC is now considering a policy that will require cities and counties to plan for a certain amount of housing, and possibly jobs, in station areas before releasing funds for new transit expansion projects. While we applaud the focus on housing, setting a threshold by itself will not ensure that these are desirable communities that will truly promote walking, bicycling, and transit use.

The Transportation and Land Use Coalition calls these half-mile radius areas surrounding stations "transit opportunity zones." We are requesting that MTC include strong and specific standards that will create livable, walkable communities in these zones. MTC should include the following components in this policy:

- Plan for compact development so that at least half the new housing expected in the Bay Area is built in transit opportunity zones.
- Set a minimum amount of housing to be developed along the corridor. If office space is also included have it be a separate performance measure.
- Promote affordable housing in the transit opportunity zones.
- Prohibit big-box developments in the transit opportunity zones.
- Conduct studies that look at minimizing parking in the transit opportunity zones.
- Develop bicycle and pedestrian plans for safe routes to, and in, the transit opportunity zones.

Finally, we would appreciate your response to the following comments about Reference Numbers 21921 and 22800 (BART extension into Santa Clara County/SVRTC Project).

Reference Number 22480 on page 105 of the appendix, shows more than $2.3 billion in the financially constrained element going for the BART transit operating and capital improvement program, exclusive of expansion. What does this represent exactly and what are the sources for these funds? Is this for Santa Clara County's share of BART operations and capital outside of the county per the VTA-BART agreement? If so, and Santa Clara County is not making payments until the BART extension into Santa Clara County is operational, how can it be that any of project 22480 is in the financially-constrained element, when the full BART extension project is in the Vision Element and therefore would not be operational in the financial-constrained plan? Please explain.

Similarly, if Reference Number 22480 refers to monies that VTA is not obligated to pay until the BART extension is complete and operational, then why is it included on page B-38 of the Draft Transportation Air Quality Conformity Analysis for the T2030 Plan and

2005 TIP, when the line becomes complete and operational only under the Vision Element?

VTA has not demonstrated that they can reasonably fund all specified 2000 Measure A projects, even if voters agreed to approve a new ½ cent sales tax (3/8ths of which would go to VTA) in 2006. Their Revenue and Expenditure Profile, as explained in "Exhibit B" of the attachments to this letter, assumes "a total of $973.0 million of Federal New Starts funds are earmarked for the BART [to San Jose] project" on a very aggressive schedule. It also assumes that $648.6 million of state TCRP funds are appropriated to VTA on a similarly aggressive schedule. These assumptions are extremely unrealistic. Due to the State of California's poor financial condition, the TCRP are not likely to be distributed as planned by former governor Davis, on such a schedule or possibly at all.

We attach a Letter from FTA to VTA dated September 17, 2004 and a Letter from VTA to FTA dated September 23, 2004 which indicates that the BART to San Jose/Santa Clara project is unlikely to receive an upgrade from its Not Recommended status anytime within the next several years. Furthermore, the letter from FTA cites the "unusually high level of New Starts funding" being requested by VTA as a prominent cause for concern.

Because VTA's plan relies on such unrealistic and speculative assumptions, their plan is not financially constrained even if a new additional 3/8 or ½ cent sales tax is passed in 2006 for VTA. Furthermore, because a new sales tax requires a 2/3 majority approval, and because it would be a brand new tax rather than a reauthorization of an existing tax, it is extremely unlikely to pass in 2006 and is not a realistically achievable revenue source for VTA. It has also not been placed on the ballot as of yet. As such, it should not be used to justify the inclusion of the SVRTC project within the Vision Element of the T2030 plan.

The VTA plan, in addition to requiring unrealistically large federal and state contributions, requires for those contributions to be made on in aggressive timeframe as shown in the documents of Attachment 3. If the large state (TCRP) and federal (New Starts) contributions are received in later rather than earlier years within the 30-year timeframe, VTA will not be able to maintain cash flow. They will have to borrow additional monies, incurring greater bonding/interest costs, and they will lack sufficient funds to complete the 2000 Measure A program.

VTA has not demonstrated within the Vision Element the financial resources to both build and operate the SVRTC project and complete all of the other projects in 2000 Measure A. The Santa Clara County portion of the T2030 plan is not financially constrained and as such, the SVRTC project should not be modeled as if it would be operational within the timeframe of the T2030 plan.

Please delineate the sources of revenue included in the Financially Constrained Element of the BART project construction reserve (Reference number 21921) and the amounts expected from each source.

Finally, we must object to the text on page 4 of the T2030 Plan that implies that MTC is being especially generous in its proposed funding for transit projects versus highway projects. Most of the funding that MTC allocates "passes through MTC" but MTC does not have particular discretion over. What would be most instructive is to look at the state and federal discretionary funding that MTC directly controls. Please produce documentation showing the total amount of funding appropriated for highway projects within the last 15 years and for transit projects within that same time frame, broken out between bus and rail projects, so that we can assess the accuracy of your assertion. See attachment 5 for specifics of why we feel that this is a misleading statement.

Again, we appreciate many of the new directions that MTC is going in, and we look forward to working with you to implement the land use policy and many of these exciting new programs.

Sincerely,

Stuart Cohen
Executive Director

Attachments:
1. Letter from FTA to VTA dated September 17, 2004
2. Letter from VTA to FTA dated September 23, 2004
3. Attachments for Agenda Item 3 of the Santa Clara Valley Transportation Authority Board of Directors' Workshop Meeting held on Friday, October 1, 2004
4. Exhibit B of Agenda Item 3 of the Santa Clara Valley Transportation Authority Board of Directors' Workshop Meeting held on Friday, October 1, 2004 as distributed to the VTA Citizens Advisory Committee for agenda item 6 of their September 8, 2004 meeting
5. First 17 pages of "Declaration of Thomas A. Rubin in Support of Plaintiffs' Motion for Summary Judgment on Remedies"

Letter 24

RAFT
Regional Alliance For Transit
1000 Union Street, Suite 207
San Francisco, California 94133

5 January 2005

Metropolitan Transportation Commission
101 Eighth Street
Oakland, California 94607

Re: comments on the draft EIR for the 2030 Regional Transportation Plan and related documents

To Whom It May Concern:

As a means of providing comments on the draft RTP, DEIR, and related documents, and to help provide greater clarity regarding the programs and projects included therein, RAFT is submitting questions below for which we would appreciate responses from the MTC. If an answer to any question or request for information is not available, please explain why.

Learning from the Present and the Past

We understand the RTP encompasses not just the implementation of new transportation projects, but the maintenance of the existing transportation system. Which existing transportation projects or programs did the MTC review to determine if they warrant continued support over the planning period? Please provide the results of that analysis.

The Valley Transportation Authority is considering building more light rail lines (*e.g.*, RTP project #22014) costing hundreds of millions of dollars. Whether the MTC should support such lines is not an unreasonable question. Was there an analysis undertaken by the MTC to determine whether the VTA's relatively new light rail Tasman East, Tasman West and Capitol projects should be supported over the life of the RTP or shut down and their service replaced by buses? If so, please

provide it.

RAFT has not seen a comprehensive analysis of the Tasman East/Capitol light rail line's ridership. From the newspaper we read of high ridership, but missing are the figures of bus ridership losses as passengers have been forced to transfer to light rail due to cancelled bus services. Please provide the data the MTC has on the ridership of the Tasman East/ Capitol light rail line and the changes in bus ridership due to the opening of these lines.

Ridership projections on the BART to Millbrae extension have not been what MTC, BART and samTrans expected before it opened. What steps has the MTC taken to make sure that the ridership projections for the BART to San Jose project are reasonable so that policy makers are not misled into selecting a project that will underperform expectations and cost more per passenger in reality than projected? What happens if such resulting costs are more than the transit operators can afford to pay?

For the 2001 RTP, the MTC had a series of six "goals" *(e.g.,* Mobility, Equity, *etc)* and each Track 1 project was scored to identify which goals it would help to achieve. Please provide the results of the analysis done by the MTC to identify the extent to which such goals have been actually met to date. If the review was not done, please explain why. Will there be any review of the projects in the 2005 RTP to identify how, and to what extent, they achieved the new goals established therein?

24-A | How many new riders are attracted to improved bus service in the region in each of the RTP alternatives? What is the capital and operating cost of existing plus improved transit service in each alternative? What is the overall transit ridership in each alternative?

24-B | How does the MTC weigh the benefit of increased transit ridership against increased delay on highways? Where are the most significant highway delays in each alternative? If delay locations are common across alternatives, is the culprit land use or transportation investments?

Public Involvement

The MTC undertook a telephone poll to inform its decisions about the draft RTP. Please provide details to identify how the selection of 2,700 registered voters to participate in the poll did not exclude or

underweight non-citizens. Also, please provide details on the weighting by county of those polled and compare it to the actual weighting of each county as measured by Census 2000.

Please provide detailed information about any two instances during the past decade about how public involvement at the MTC by low-income residents and or minority residents changed the outcome of an MTC staff recommendation for a significant transportation project or program.

The results of the "Phase 1" public involvement process identify numerous examples of low-cost amenities such as bus shelters and benches or longer hours of bus service that were deemed desirable by minority or low-income residents. Please identify where in the RTP the programming and funding for these improvements are listed, and when they will be implemented. If such requested improvements are not specified in the RTP, please explain why.

Environmental Justice

Please provide detailed information about how the MTC goes about reviewing ethnicity and incomes of expected new transit riders before it decides to support one project or program over another. For instance, the MTC continues to support BART to San Jose; please provide the analysis of the impacts to minority and low income VTA bus riders if the BART project is constructed and operated with funds reasonably expected to be available.

At a recent POC meeting, an MTC staffmember stated that steps are being taken to implement funding for the "Lifeline" program before increased funding under Proposition 42 becomes available in 2008. Please specify what such steps are, what the source of such funding is by fiscal year, and what criteria will be used to select the projects or programs to be implemented. If such criteria are not yet available, when will they be, and on what basis will they be decided?

The MTC's "Community Based Transportation Planning Studies" have identified a range of programs and projects to improve mobility in selected low-income communities in the region. Please specify, by community, which of these improvements will be provided and the source of funding for such improvements, by fiscal year.

The "Equity Analysis" report identifies that approximately one-third of the region's population reside in "Communities of Concern" (COCs, page A–1), yet they are calculated to suffer, in general, approximately 40% of the vehicle travel and emissions "burdens" (page G–1). At the December MCAC meeting, the MTC's staff stated that the difference in these ratios was "not disproportionate." On what basis is this conclusion arrived at? One explanation given at the meeting was that people from other areas might travel into a coc and thus cause at least part of the added burden. Does this mean that coc residents are assumed to not travel anywhere else? Please also provide an explanation of what level of discrepancy would be necessary to be considered "disproportionate."

24-C | How are health benefits of residents of each of the RTP alternatives quantified? Is an increase in pedestrian and bicycle trips noted as a health (or any other kind of) benefit?

24-D | What is the difference in transit level, frequency, and span of service that will be provided under each RTP alternative to bus riders compared to rail passengers, by transit operator, in each of Alameda, Contra Costa, San Francisco, San Mateo and Santa Clara counties? What is the estimated cost per rider for each operator in these counties, for each alternative?

A Curious Situation With a Very Costly Project

Page 115 of the draft RTP, dated October 2004, project #22800, states that $3,301,000,000 is for "BART extension into Santa Clara County (construction reserve only; full project not included in Financially Constrained Element)." RAFT would appreciate a thorough amplification and clarification of this project. The VTA, the project's sponsor, has agreed to allocate $2 billion in 2000 dollars to the project, and the MTC publication shows 2004 dollars. Is the increase of over 50% due to inflation over the four years? If not, to what is it attributable?

For project #22800 what is meant by the term "construction reserve?" To what extent is such a project description eligible for FTA New Starts funding? What elements or portions of the full "BART to San Jose" project are expected to occur, and with what phasing, if any, if the $3.3 billion is expended?

No other funding for the project has been secured, and the VTA has not agreed to allocate additional amounts to the project. Please provide information about how the $3.3 billion figure was derived.

What finished project is assumed in the MTC project #22800 that costs $3.3 billion? In the "notes" to this project is "... operating funds not identified; see Santa Clara project #22909 below." This second project shows that $2.7 billion will be needed for this project and one other VTA project, but that the source is unknown and not in hand today. Without BART to San Jose operating funds identified, how can the MTC support this project? How can it be in a financially constrained RTP?

Please identify all Muni or AC Transit transit improvement projects or programs during the past ten years that were not supported or included in an RTP by MTC because "operating funds (were) not identified" and explain what is the difference from the VTA project.

Not a Goal: Cost Effectiveness

Will the MTC ever use cost-effectiveness as a criterion for transportation project and program selection? What exactly is required for this to happen? If not, why not?

RAFT notes that the BART to San Jose project is calculated by the VTA to have a cost per new passenger of about $32. For one new passenger, the cost per fifty-week year, with a round trip each weekday, is an astronomical $16,000. According to the RTP, Bay Area residents want a goal for the MTC to be "a process that ensures major new transportation investments have been well scrutinized for cost-effectiveness." However, the MTC has not adopted this goal. What keeps the MTC from carefully scrutinizing major new transportation investments for cost-effectiveness?

Is there any policy, rule, regulation or law that requires the MTC to provide funding to transportation projects that are not cost-effective? If so, please provide specifics. Is there any policy, rule, regulation or law that forbids the MTC from funding cost-effective transportation projects? If so, please provide specifics.

County Sales Tax Expenditure Plans

Is the MTC required to support, or to include in the RTP, all projects that are included in a county sales tax expenditure plan? If so, under what authority? Is it permissible for the MTC to not support, or to not include in the RTP, or to do so only selectively, a project that is a part of a county sales tax expenditure plan? If so, under what authority?

24-E

ABAG Projections

From time to time (*e.g.*, Alameda County Congestion Management Agency draft RTP comment letter to the MTC of December 15, 2004) local government officials state that the MTC must use ABAG projections for the RTP by law or statute. Please provide citations to any state or federal policies, rules, regulations or laws that require that the MTC use only ABAG projections.

ABAG has recently issued its Projections 2005 report, yet the draft RTP continues to rely on the 2003 Projections. If MTC has an obligation to use ABAG data, under what authority is MTC allowed to utilize outdated information?

Financial Responsibility

Please specify the basis in federal and state rules, regulations and laws and or regional policies which are used to determine which federal and state funds, and in what amounts, are provided to County Congestion Management Agencies for distribution and project definition.

Please provide the specifics of the analysis under which federal and or state funds (including but not limited to STP, CMAQ, and STA) are being set aside for MTC to allocate to "regional programs." Please also provide the results of the Title VI analysis that was conducted by MTC in order to determine how much funding from each source will be available for each of these "regional programs."

In the Bay Area, besides the MTC, what other local agencies, such as CMAs, have the ability to determine the allocation of §5307, §5309, STP, CMAQ and STIP funds? Please specify for each fund source.

The MTC's Abilities and the TRANSDEF Smart Growth Alternative

Does the MTC have the ability to withhold funding from an area that has "dumb" growth policies and practices and or to provide funding to another area that has "smart" growth policies and practices? If so, under what authority?

Does the MTC have the ability to direct funding of projects and programs to geographic areas such as west Contra Costa County or the Walnut Creek/Lamorinda area of Contra Costa County and to limit funding to other areas such as the San Ramon Valley and eastern Contra Costa County? If so, under what authority?

24-F | In a December 8, 2004 memorandum from the Contra Costa Transportation Authority staff to its Planning Committee, it is stated that one of the RTP alternatives (TRANSDEF Smart Growth) "assumes that MTC has land use powers that it does not have." Please provide a list of those powers to the extent that they are known to the MTC.

24-G | In its draft RTP comment letter to the MTC, the Alameda County CMA states that the TRANSDEF alternative includes "parking charges at all employment sites...(and) there is no clear authority to impose the parking charges." RAFT understands that the TRANSDEF alternative utilizes parking cash out, not parking charges. Is this correct? Also, does the MTC have the ability to require parking cash out anywhere in the Bay Area? If so, where and under what authority? Would the implementation of parking cash out in the Bay Area help improve our quality of life over the life of the 2030 RTP? Why or why not?

24-H | The Alameda County CMA's draft letter also states that TRANSDEF's "land use assumptions are not consistent with local general plans thus making the alternative infeasible without approval of general plan amendments throughout the Bay Area." Do the TRANSDEF alternative's land use assumptions require any general plan amendments by local governments that are different from those required by the MTC's own alternatives? If so, please specify.

24-I | The Alameda CMA also wrote in its draft letter that "BRT" was added in Livermore, Pleasanton, Oakland Airport and Cal State Hayward. Is this correct? RAFT understood that, with the possible exception of parts of

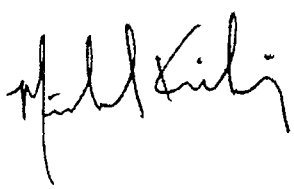
the CSUH project, these projects are Rapid Bus similar to what operates on AC Transit's line 72R today, not costly Bus Rapid Transit with exclusive fixed guideways. Please clarify what the MTC understands to be the difference. The CMA continues by stating that "no source of operating funds was identified for these services." Did the MTC require an identification of specific operating funds for these (or any other new) services? If so, please specify. Could not, for example, STP funds be converted to §5310 and used to offset ADA paratransit costs, freeing up operating funds for use with the new services? Why or why not? Also, is the situation with these new services any different than is the case with project #22909? If so, how is it different?

24-J How have local land use controls changed in the past twenty years? Is it not reasonable to assume the trend to densification in the Bay Area will continue in the next 25 years, much as the TRANSDEF alternative assumes?

24-K What is the mode split in the I-580/I-680/I-880 corridors across the RTP alternatives? How many intra-regional trips are attracted to the High Speed Rail system in the TRANSDEF alternative? How many are attracted to transit in the other alternatives? Given a project justification of moving passengers from southern and eastern Alameda County to Santa Clara County, would the VTA's proposed BART to San Jose project be a good investment if high speed rail is constructed and operated over the Altamont Pass to downtown San Jose? Why or why not?

We appreciate the opportunity to comment and look forward to your responses.

Sincerely,



for RAFT
M. Kiesling

LEAGUE OF WOMEN VOTERS OF THE BAY AREA
An Inter-League Organization of the San Francisco Bay Area

January 4, 2005

Metropolitan Transportation Commission – Public Information
Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607

Letter 25

Re: Draft Transportation Plan 2030 for the SF Bay Area

The League of Women Voters of the Bay Area represents 21 local Leagues in the San Francisco Bay Region. We support a long-term transportation plan that is consistent with the comprehensive Bay Area Plan and growth management framework to promote compact, transit-oriented growth patterns served by an efficient, interconnected, multi-modal transportation network that moves both people and goods. This network should provide service that is convenient, cost-effective, equitable, safe, serve the needs of people with special limitations, and use viable alternatives to single-occupancy vehicle use and to reduce vehicle miles traveled.

After reviewing the 2030 Plan and its accompanying Draft EIR, we agree that the stated goals of this draft plan--efforts to achieve safety, reliability, access, livable communities, clean air, and efficient freight travel--are worth pursuing, and we support their adoption.

The League continues to support efforts to encourage transit ridership by having a system that provides services that are frequent, dependable, and interconnected. We support the Plan's provisions for broadening access to meet the mobility needs of older adults, the disabled, low-income residents and youth. The Lifeline Transportation Program which calls on strengthening intergovernmental partnerships with transit agencies, cities, counties and other local jurisdictions to make commitments to supportive land use patterns as well as improved public transit services should be given a high priority for action. We also support the proposed goals for efficient freight transport, which is an important component of the regional system.

We are especially pleased to note that MTC's 2030 Plan incorporates the current Smart Growth Vision adopted by the five Bay Area regional agencies and the Bay Area Alliance for Sustainable Communities, both in the assumptions used for its projections and by making a stronger-than-ever-statement that transportation plans must be linked to land use in order to achieve the long-term vision expressed by citizens of the area. The Transportation and Land Use Platform adopted by the MTC in December 2003 was an important first step in this direction. The proposed development of funding and incentives for workable, intensified, transit-oriented land use plans around key transit stations, and focusing future housing and mixed-use development around major transit lines and other urban infill areas to increase ridership and meet regional housing needs will continue this effort.

Providing improved alternatives to the use of single-occupancy vehicles, and to reduce or contain vehicle miles traveled is also important. Funding for increased bicycle and pedestrian access and safety measures should be continued, as should consideration of these needs in the construction of transportation facilities. Opportunities for additional funding by leveraging grants from MTC's Transportation for Livable Communities/Housing Incentive Program with non-transportation dollars from sources such as Community Development Block Grants, redevelopment funds, and Air District clean air funds should not be overlooked.

In this era of limited funding, we believe the highest priorities need to be given to maintaining and improving the current system and finding ways to increase its use. Ensuring better connectivity by establishing a regional system of hubs and services and continuing to expand the TransLink system will be an important step in this direction. The Transportation/Land Use Platform adopted in 2003 included tripling funding for Transportation for Livable Communities (TLC) which offers incentives for local governments to accommodate supportive land uses around current and future transit stations and corridors. We have supported the TLC program and would like to see it promoted aggressively along with development of other policies to make sure that transportation and land use planning are coordinated.

To provide adequate funding for transportation systems in the region, the League supports a plan based on user fees and other revenues derived from transportation-related sources. We have concerns about relying on the proposed HOT lanes as a source of revenue for MTC, but are willing to give it a trial as a congestion management tool. We support a reduction in the vote requirement to a simple majority for passage of a regional tax. We are frustrated by the state's diversion of transportation-related tax revenues and hope that some of them will be repaid to the region in the future.

25-A | Finally, we were interested in the analysis of the TRANSDEF Smart Growth alternative in the Draft EIR. Although it was not selected as a viable alternative, we believe that some of its concepts are worth future consideration. The ideas for directing more future residential development in the Bay Area into transit supportive corridors and implementing pricing strategies to make driving more expensive and transit more attractive may have growing support in the area. The lack of authority to implement many of its proposals is a current drawback and probably difficult to overcome but should not be automatically dismissed.

The League appreciates the public process that has gone into producing the Transportation 2030 Plan which allows us to make these comments. We will be following with great interest the Plan's adoption, the reporting of performance measurements, and implementation of the goals and policies.

Linda Craig,
President

Irene Sampson,
Transportation Director

Letter 26

January 7, 2004

Steve Heminger, Executive Director
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

Dear Mr. Heminger:

Thanks for the opportunity to comment on the Draft 2030 Regional Transportation Plan (RTP) and Draft Environmental Impact Report (DEIR). On behalf of Urban Habitat, we appreciate MTC's efforts to obtain public participation.

However, we are very concerned that the Draft 2030 Regional Transportation Plan does not adequately address or prioritize the needs of low-income people in the Bay Area. We believe that projects such as BART to San Jose and Bus Rapid Transit projects could greatly impact the level of bus service for communities of concern. The lack of additional dedicated funds for new bus services (excluding BRT projects) ignores the most effective use of public funds. We urge MTC to change its investment decisions as necessary to mitigate potential inequities in services and funding priorities. These changes should apply both to the financing of existing projects, as well as to the financing of proposed or future projects.

In particular, we are concerned about the inadequate amount of funds for the Lifeline Transportation Network (LTN). We recommend that the following efforts be made to ensure that there is an adequate level of service to essential destinations in each community of concern.

- MTC and transit agencies estimate the full costs of needs of LTN
- MTC spend money from the $216 million LTN commitments before 2008.
- MTC provide leadership in finding additional funds for the LTN
- MTC examine funding opportunities from state, federal and discretional sources for reduced youth bus passes for low-income bay area youth.

26-A We commend MTC in moving towards a stronger connection between land use and transportation planning. The DEIR does identify the TRANSDEF Smart Growth Alternative, rather than the MTC's own "proposed plan", as more environmentally superior and a significant step in the right direction in creating more "livable communities" in the Bay Area. Additionally, the Alternative plan reduces overall vehicle miles traveled and encourages walking and bike use to essential destinations. While we realize that there may be difficult challenges in implementing the Smart Growth Alternative, we encourage MTC to examine more closely new pricing strategies that will reduce auto use and make more discretionary funds available for Lifeline and other modes of public transportation.

As advocates for social equity and environmental justice concerns, Urban Habitat welcomes a change in MTC's planning policies that mitigates the transportation effects on air quality and public health. By taking into account the true health and social equity impacts of its investment decisions, MTC has the opportunity to provide a great transportation system that increases mobility, improves transportation choices and serves the broadest range of residents at the lowest possible cost.

If you have any additionally comments, feel free to contact me at 510-839-9510.

Sincerely,

Juliet Ellis
Executive Director
Urban Habitat

COMMENT SET 27 - DECEMBER 10, 2004 PUBLIC HEARING COMMENTS

LILA HUSSAIN, URBAN HABITAT

27-A

Ms. Lila Hussain, Urban Habitat, supported *the TRANSDEF alternative because it benefits low-income and communities of color.* It addresses equity in terms of access as well as how MTC makes their transportation investment decisions.

27-B

Rather than promoting transportation projects that continue urban sprawl, she feels that the TRANSDEF alternative provides a better vision of a more compact livable community.

MR. SCHONBRUNN, TRANSDEF

27-C

Mr. Schonbrunn stated *the EIR analysis is based on an alternative that the Commission cannot adopt since the Transportation 2030 Plan is not financially constrained.* He noted that in terms of the Plan that can be adopted, the TRANSDEF alternative has less congestion then the financially constrained alternative.

27-D

He suggested the EIR table be rewritten with all comparisons being made to the constrained plan, which is the Transportation 2030.

27-E

He commented that *the TRANSDEF did not assume lower vehicle ownership* – this is the product of their land use assumption, which was processed by MTC using their vehicle ownership model. The statement that TRANSDEF alternative would cause an increase in cost to drivers is an artifact of the modeling that had to take the parking cash out as a cost to drivers rather then a benefit to transit or non-drivers. He stated that CEQA requires staff to determine the environmentally superior alternative, which TRANSDEF proves.

Mr. Steve Heminger stated that the long-range plan that staff is proposing for adoption has a fiscally constrained element and an unconstrained element that is entirely permissible under federal law. He noted that what the Commission will be approving in terms of air quality conformity regulation is the financially constrained element, which also is required and permissible under federal law. He noted that what Mr. Schonbrunn presented is an unconstrained alternative, which is very similar to the plan that will be proposed for adoption, and he noted that Mr. Schonbrunn persists in comparing his alternative to the financially constrained alternative. The proper comparison is between Transportation 2030 and the TRANSDEF alternative, which both have constrained and unconstrained elements.

Commissioner Azumbrado asked how much of the alternative tends to be a social issue with the public, and does TRANSDEF look at MTC and other leadership groups to take an active role to try to encourage the public to accept the TRANSDEF alternative.

27-F

Mr. Schonbrunn stated that *TRANSDEF has market surveys that show there is a significantly underserved market, comprised of young adults/couples without children/older adults that want to live in a more urban environment and get around without owning a car.* He encouraged the Committee to get a report from MTC staff on what realistically is expected is 50 years in terms of what will propel vehicles.

Commissioner Spering expressed his disagreement to comments made that MTC does not respond to its constituents; he felt that MTC has made tremendous strides in improving Bay Area mobility. He pointed out that that today's forum is another good example of MTC's efforts; no other regional planning agency has afforded such an opportunity to an individual to evaluate his alternative in the EIR. He noted that Mr. Schonbrunn's comments tend to leave out a key point—MTC cannot be his surrogate for moving public opinion as to how the tax dollars that the public approved should be spent.

COMMENT SET 28 - DECEMBER 15, 2004 PUBLIC HEARING COMMENTS

ROY NAKADEGAWA

28-A

I'm really impressed -- and *must commend MTC for considering land use integration, an element of Smart Growth.* I hope these important considerations are not just intentions. Intentions are well-meaning and honorable, but if they're not implemented, it's meaningless. Dante had a quote that says, "Hell is paved with good intention." So I trust these intentions that MTC has developed will not just be placated to – placate to the -- the public. For it is obvious, there is this growing need for a more rational approach to planning and funding our various regional projects.

28-B

I've gained the confidence of many professors and consultants through my attendance to transportation research board. I've been a part of many studies, like TCRP. And in my election, like several professors actually endorse me for my BART position. I spoke last week supporting the TRANSDEF at MTC's Planning Commission meeting, but the director mentioned that it wasn't fiscally constrained. Well, I believe it could be easily changed with little study, because many of the proposals that TRANSDEF is considering or, you know, pushing for are very low cost and very effective. As a matter of fact, I think they'll be just as effective as many of your current projects.

28-C

Speaking more about fiscally constrained projects, one of your biggest, most costly projects, *I have big doubts as to whether it's fiscally constrained.* I listened to the program on KPFA where one of your staff and David Schonbrunn talked, and I was very disappointed with what MTC's staff mentioned. He mentioned that the tax was going to raise three billion dollars. Actually it's only two. And that he's saying that major cost of the overall project is local. But then if you really look at EIR or know about the background, you'll find that they're going to ask for roughly 900 million dollars from FTA, for most of the new starts are very low in cost,

because even EIR mentioned that a cost per trip was going to be $31.25. Now, that's on a high side for a new-start project. I can go into this matter in much more detail. I intend to write to you. I trust written comments are accepted when, January?

MR. ROLFE

28-D

The first thing I notice is that in Appendix II you got a wonderful transportation land use platform. The only problem with your plan that's proposed doesn't live up to it. And in that, you say that you (inaudible) major freeway is over, but then you proceed to advocate a lot of freeway construction, including the Caldecott Tunnel freeway expansion. And so, I know that that's been voted on, but it might be time to revisit it and revote on it, because that's going to happen. If built, it will have disastrous effects on Oakland and on other 20 live there.

28-E

And the next are the HOV lanes. Well, if you do implement HOV lanes, it should be done by taking – by converting the existing traffic lanes, because otherwise you are increasing freeway capacity, and you're taking away land that could be put to be better use. You could possibly be destroying houses and businesses and so forth. You promote carpools, which has good and bad points. They may increase sprawl by encouraging who live further out in an auto-oriented development rather than transit-oriented development. And as far as HOT lanes, no. Rich people should not be allowed to buy their way out of congestion. Let them mix in with the hoi polloi. Let them find out what the great unwashed are up to. What I would really like to see are the wealthy people, the aristocracy, on public transportation. Because if that happened, I'm sure we'd see some really tremendous improvements fast. So they wouldn't stand for this stuff that us ordinary folks do.

28-F

And -- now, also *in the EIR, the TRANSDEF alternative is vastly superior to the one you're proposing*. So I would suggest, like I would urge, that you adopt the TRANSDEF alternative as the regional transportation committee. And another caveat is you should not assume the trend is destiny. Just think about that. You should do what you can do to change bad trends, to redirect trends into the right direction. By right direction, I mean better for the environment, better for the livability for the region and so forth. Though, as I say, I hope to develop some of these in more detail, but I think I've given you a lot of food for thought, and I would urge you to pick up on what I just said here. Thank you.

Letter 29

<Cautn1@aol.com 1/16/2005 2:49:58 PM
Dear Ms. Nguyen:

I had occasion to review the responding comments of the League of Woman Voters, Bay Council, Muni, S.F.T.A., TRANSDEF and RAFT. Here are a few comments on the comments:

1.) The Bay Council thinks too much is being allocated to pedestrians and bicycle facilities. It's right. $200 million is excessive. $50 million would be more than enough. Pouring huge sums into ped and bicycle facilties would do nothing to alleviate regional traffic congestion, this Region's No. 1 perceived problem.

2.) HOT lanes and congestion pricing should be avoided, since they would encourage more automobile use, thus exacerbating the congestion problem.

3.) The VTA and Muni want assurances that their major current projects will reveive adequate funding. The basic question is: are the projects worth the money? If the answer is "no' (as it is), funds should be withheld.

29-A | 4.) The TRANSDEF plan is knocked for containing items outside of MTC's jurisdiction. The TRANSDEF plan, with its superior results, should be regarded as a wakeup call. MTC's responsibility is to fight for the best plan, not settle for the easiest.

5.) Several entities talked of BRT improvements. The existing bus service along Geary Boulevard is already highly efficient. BRT on Geary would therefore provide only marginal improvements. San Francisco has already done about all it can with buses on Geary. The real answer for this important corridor is an out-of-traffic rail service. Same would apply to other BRT Corridors.

Jerry Cauthen

Letter 30

AMBAG
ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS

January 13, 2005

Ms. Ashley Nguyen
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607-4700

Re: MCH# 120413- Notice of Availability of Draft Environmental Impact Report for Transportation 2030 Plan for the San Francisco Bay Area for Nine Bay Area Counties

Dear Ms. Nguyen:

AMBAG's Regional Clearinghouse circulated a summary of notice of your environmental document to our member agencies and interested parties for review and comment.

30-A | The AMBAG Board of Directors considered the project on **January 12, 2005** and has no comments at this time.

Thank you for complying with the Clearinghouse process.

Sincerely,

Nicolas Papadakis
Executive Director

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Letter 31

Memorandum

TO: MTC Planning and Operations Committee DATE: Dec. 10, 2004

FR: Minority Citizens Advisory Committee W.I.:

RE: Comments on the Transportation 2030 Equity Analysis Report

The Minority Citizens Advisory Committee met on Dec. 7 and heard a presentation on the *Equity Analysis Report*. Below are initial comments from members about the report:

1. MCAC appreciates the work expended on analyzing and reporting the quantitative data available.
2. On its face, the Equity Analysis shows that services and travel time seem to be equitable, but critical variables may have been left out of the analysis that would lead to different conclusions. Geographic proximity to a transportation mode should not be the sole criteria for determination of access. For example, affordability plays an important role that has not been factored into the equity analysis.
3. While communities of concern have greater access to transportation and, apparently, jobs, the question arises, "Are the residents of communities of concern able to access transportation that will get them where they want to go, when they need to get there?" Are they locked in the maze?
4. MCAC requests that other equity issues be analyzed in the *Equity Analysis Report*. This would include items such as sound issues, social mobility, true job access, safety, community cohesiveness (i.e., how transportation capital developments physically impact socio-economic and cultural cohesiveness).
5. MCAC requests that MTC adopt a strategy of minimizing particulate matter impacts on communities of concern by specifically measuring the impact on specific communities of concern (hot spots). The generic per capita impacts data in the *Equity Analysis Report* are not helpful.
6. Considering the fact that communities of concern represent one-third of the population and one-third of the traffic analysis zones, the question arises, "Are the communities of concern bearing a heavier air quality burden than the remainder of the communities?"
7. MCAC requests that the analysis of investments in the regional transportation plan be improved so that we can compare the amount of investments in communities of concern with the remainder of the Bay Area.
8. The equity analysis should be refined so that it can better assist with micro-level analysis of communities of concern in addition to macro-level generalizations.

31-A 9. Of the transportation project alternatives compared in the *Equity Analysis Report,* the TRANSDEF alternative seems to be the most beneficial in promoting transit access, limiting projects cost and pollution.

4 Responses to Comments on the Draft EIR

This section includes responses to each numbered/lettered comment presented in Section 3. The responses correspond to the number-letter combination shown in the left margin of the comment letters.

LETTER 1: STATE OF CALIFORNIA OFFICE OF PLANNING AND RESEARCH, JANUARY 6, 2005

1-A The comment is noted regarding compliance with the State Clearinghouse review requirements for the Draft EIR.

LETTER 2: STATE OF CALIFORNIA DEPARTMENT OF CONSERVATION, DECEMBER 14, 2004

2-A The commenter requests that the FEIR describe the *known* areas that will be converted from farmland to another use. This type of analysis is beyond the scope of the Program EIR and will happen at the project review level. The EIR *did* use the California Department of Conservation Important Farmland Maps to identify agricultural land that would potentially be impacted by the Transportation 2030 Plan projects. Because the projects have yet to be designed, it would be speculative to attempt to map or calculate the exact acreage affected. For that reason, the projects were mapped using a 100 ft. buffer from the centerline of linear projects (the existing road width was subtracted out for widening projects) and a 100 ft. radius from the center of point projects. Then, the acreages of potentially affected prime and non-prime farmland were calculated using these maps, which overlaid the project buffers with the Important Farmland: see Table 2.3-11 on page 2.3-25 of the DEIR. A map of Important Farmland is included in the DEIR as Figure 2.3-4: Farmlands on page 2.3-13.

2-B We acknowledge the high value of agricultural land, both as an environmental and as an economic resource. However, details such as crops grown, crop yields, farm gate sales values, and economic multipliers are beyond the scope of the EIR, which is a program document providing a regional overview of potential impacts. The commenter's suggestions will be considered for inclusion in project-specific EIRs.

2-C The commenter recommends a series of pieces of information to be included in the analysis of *project-specific* impacts. This level of analysis, as noted above, is beyond the scope of the EIR and will be considered during the project review process and associated project EIRs.

2-D The information provided will be helpful if and when it is determined that specific projects do indeed require withdrawal of land from the Williamson Act. Some of the suggested language is hereby incorporated into the setting of Chapter 2.3, page 2.3-15. See Section 2 of this Final EIR for details.

It should also be noted that the Transportation 2030 Plan does not suggest any general plan or zoning designation changes within agricultural preserves. Were these types of changes to be necessary, they would take place later and would be evaluated as part of an EIR prepared by the city or county that proposes to make such changes.

2-E The suggested mitigation measures are appropriate for the project-specific level and are hereby incorporated as examples of project-level mitigation measures within Mitigation Measure 2.3 (a). See Section 2 of this Final EIR for details.

LETTER 3: STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS), JANUARY 7, 2005

3-A MTC assumed that the carpool occupancy rates for the high-occupancy/toll (HOT) lanes would be 3 or more persons (3+) as stated on page 3.1-4 of the Draft EIR. The HOT lanes would operate with no tolls for persons in vehicles of three or more. This comment is further addressed in the revision to page ES-5. See Section 2 of this Final EIR for details.

3-B Comment noted. See also page 68 of the Draft Transportation 2030 Plan, which states that pricing concepts on HOV lanes are being successfully implemented on freeways in Orange and San Diego counties. Furthermore, MTC looks forward to the pilot pricing demonstrations on HOV lanes in Alameda and Santa Clara counties as authorized by the legislature. MTC intends to partner with Caltrans, county Congestion Management Agencies (CMAs), and other transportation stakeholders to evaluate the feasibility of the HOT network concept prior to implementation in the Bay Area.

3-C This comment concerns the substance of the Transportation 2030 Plan itself, not the Draft EIR which provides environmental review of that plan. This comment does not raise environmental issues under CEQA. Notwithstanding, the Alameda County Congestion Management Agency (ACCMA) proposed the "Route 84 HOT lanes in Tri-Valley" project (#22666) for inclusion in the vision element of the Transportation 2030 Plan.

3-D Figure 1.2-6 on page 1.2-11 of the Draft EIR shows the most-traveled routes along the region's rail, highway and bridge networks in the Bay Area as established since the 1998 Regional Transportation Plan. We acknowledge that the Route 12 corridor between I-80 and Rio Vista Bridge will become an important travel corridor due to growth in freight and interregional traffic, and thus the suggested addition of the travel corridor is appropriate and is hereby incorporated to Figure 1.2-6. See Section 2 of this Final EIR for details.

3-E According to our GIS data, project 22747 (Map ID 2) is located in approximately the location described by the commenter. No revisions to Figure 1.2-8 are necessary.

3-F The unrounded value for freeway HOV lane-miles, year 2000, is 279 miles. This is closer to the 260 lane-miles described in the Caltrans HOV report. MTC staff will work with Caltrans staff to understand and correct any discrepancies.

3-G This EIR—which analyzes the potentially significant impacts of the adoption of the Transportation 2030 Plan by the MTC—is a program EIR, as defined by section 15168 of

the CEQA Guidelines, and is intended to used as the general environmental assessment of the overall program of projects presented in the Transportation 2030 Plan (See California Transportation Commission Regional Transportation Plan Guidelines (December 1999), pp. 23-24 (incorporated by reference herein pursuant to CEQA Guidelines section 15150 and Public Resources Code section 21092.). Improvements to local arterials parallel to freeways/highways may be identified in future regional or local transportation planning and project development studies, and would be incorporated into appropriate planning documents at that time. When the individual project sponsors—including Caltrans, which is responsible for the State highway system—prepare more precise, project-level analysis to fulfill the requirements of CEQA and/or NEPA, improvements to local arterials that would help freeway/highway segments operating at LOS F should be identified in the environmental document.

3-H This comment concerns the substance of the Transportation 2030 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA. See also page 78 of the Draft Transportation Plan which lists a series of regional operational investments, including freeway traffic operations, TransLink®, 511/Traffic, performance monitoring, and so forth, as referenced in this comment.

3-I Please also refer to response to comment 3-A, which indicates that the carpool occupancy rate assumed for HOT lanes is 3 or more persons (3+).

3-J The Executive Summary presents abbreviated summaries of the EIR alternatives as shown on pages ES4 – ES5 of the Draft EIR, while the Alternatives to the Project chapter provides detailed descriptions of the EIR alternatives on pages 3.1-2 – 3.1-6 of the Draft EIR. As stated on page 3.1-4, MTC will require Federal and State legislative permission to implement HOT lanes in the Bay Area. This is a statement of fact. It does not contradict the abbreviated description of the Financially Constrained Transportation 2030 Plan Plus High-Occupancy/Toll (HOT) Network Alternative on page ES-5 of the Draft EIR.

3-K This EIR—which analyzes the potentially significant impacts of the adoption of the Transportation 2030 Plan by the MTC—is a program EIR, as defined by section 15168 of the CEQA Guidelines, and is intended to be used as the general environmental assessment of the overall program of projects presented in the Transportation 2030 Plan. Accordingly, the Draft EIR appropriately evaluated the broad, regional effects on implementing a HOT network regionwide, notwithstanding additional detailed operational and feasibility analysis prior to full implementation.

3-L Comment noted. Please also refer to response to comment 3-A which indicates that the carpool occupancy rate assumed for HOT lanes is 3 or more persons (3+).

3-M As shown in Table 3.1-9 on p. 3.1-19 of the Draft EIR, the forecasts indicate an overall shift in travel away from expressways and arterials to travel on the freeways and the HOT lanes. This is reasonable given that the purpose of HOT lanes is to "sell" excess (unused) capacity, in the HOT lanes, to existing users of the freeway general purpose lanes, or to users of the

parallel surface street systems. The results were obtained from MTC's travel demand forecast model, which accounts for shifts in mode choice (single-occupant vehicle (SOV), transit, 2 person carpools, 3+person carpools, etc.) and route choice. The shifting of traffic to fill in the surplus capacity of the underutilized HOT lane will cause a general increase in system speeds, and a general reduction in the amount of travel at level-of-service "F" (LOS F).

3-N The proposed HOT lane system is captured in the "Improvements to high-occupancy-vehicle (HOV) network (including HOV lane gap closures and express bus services); convert HOV network to high-occupancy/toll (HOT) network" project (#22106) as shown on page 80 of the Draft Transportation 2030 Plan and page C-15 of the Draft EIR.

The Draft EIR plots a representative, but not comprehensive, set of proposed transportation projects on corridor maps as shown on pages 1.2-11 through 1.2-47. Please also refer to page 69 of the Draft Transportation 2030 Plan for a map of the proposed HOT lane system.

LETTER 4: SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS, DECEMBER 14, 2004

4-A Comment noted.

LETTER 5: BAY CONSERVATION AND DEVELOPMENT COMMISSION, DECEMBER 28, 2004

5-A The analysis of equity issues is contained in a separate prepared by MTC entitled *Equity Analysis Report* (November 2004).

5-B Recommended addition is hereby incorporated into the EIR. See Section 2 of this Final EIR for details. The text on page 2.3-28 is revised to include this additional mitigation measure that can be considered by project sponsors to minimize of eliminate short term (often construction-related) disruption or displacement of existing land uses.

5-C Mitigation Measures 2.3 (d) and (e) are hereby merged according to this comment's recommendation. See Section 2 of this Final EIR for details.

5-D The discussion on page 2.8-11 describes aquatic resources in San Francisco Bay, but does not cite impacts on aquatic resources, as the commenter notes. The biological resource impacts that the commenter refers to are discussed in Impact 2.8-2 and 2.8-3. Impacts from improved ferry facilities are identified in Table 2.8-2, which identifies potential impacts on special status plant or wildlife species, and wetlands resulting from the New Vallejo Ferry Terminal intermodal facility. The potential for increased marine mammal strike hazards were not specifically identified in the EIR but fall into the general impact category of impacts on "special status plant and/or wildlife species identified as endangered, candidate, and/or special status" on page 2.8-16. (See also the Water Transit Authority's *Final Program Environmental Impact Report for Expansion of Ferry Transit Service in San Francisco Bay Area* (June 2003)). Specific measures provided in the EIR ensure that appropriate biological

surveys will be conducted as necessary for individual projects, and that the project-level environmental review will include coordination with the U.S. Fish and Wildlife Service and/or California Department of Fish and Game if impacts to special status plant or wildlife species are anticipated. For projects with elements that directly or indirectly affect aquatic resources in San Francisco Bay, such coordination with these agencies and others (e.g., the National Marine Fisheries Service and the Bay Conservation and Development Commission) would be necessary to specifically identify and address potential impacts.

5-E Impacts on visual access of the Bay would fall under Criterion 1 on page 2.9-5: "**Blocks panoramic views of significant features.**" Recommended addition is hereby incorporated into the EIR. See Section 2 for details.

5-F As the commenter requests, a description of the McAteer-Petris Act, San Francisco Bay Conservation and Development Commission (BCDC), and the Suisun Marsh Preservation Act is presented in Section 2 of this document and is hereby incorporated into the final EIR.

LETTER 6: BAY AREA AIR QUALITY MANAGEMENT DISTRICT, JANUARY 7, 2005

6-A MTC's primary impact on VMT growth is through the funding decisions it makes with regard to transportation projects and programs, which are indirect ways to affect VMT. The Plan is based on ABAG's Projections 2003 which assume more compact land use pattern in the future which would help reduce VMT. Furthermore, with only a 7 percent increase in roadway lane miles in the Plan between 2000 and 2030, the Transportation 2030 Plan itself does not contribute to significant additional vehicle capacity, compared to the far higher levels of projected population and employment growth in this same timeframe. In the face of the expected future population and economic growth in the Bay Area, it is likely that the only way to markedly reduce the future rate of growth in VMT would be through various regulatory mechanisms that do not currently exist. A regulatory approach would also be expected to have significant economic implications for the Bay Area.

6-B MTC's calculation of CO_2 emissions are based on projected growth in VMT coupled with an assumption that there would be no further improvement in gasoline mileage for passenger cars and trucks. Table 2.4-5 of the Draft EIR reports that estimated carbon dioxide emissions from the Proposed Project in 2030 would be about 25 percent greater than existing conditions. It also shows that, under the Proposed Project, these carbon dioxide emissions would be about 3 percent lower than under the No Project scenario. MTC's Plan continues to support signal retiming programs, which have been shown to reduce vehicle starting and stopping on major arterials and save fuel in the process. The most direct and cost effective way to reduce projected growth in automobile generated greenhouse gas/CO_2 emissions would be for Congress to establish more stringent fuel efficiency standards for cars and trucks, rather than through VMT control. More aggressive fuel efficiency standards could offset a substantial portion of the expected increase in CO_2 emissions. (Please also refer to response to comment 6-A above). In the meantime, CARB has recently established regulations requiring automobile manufacturers of cars sold in California to increase fuel efficiency of cars starting in model year 2009.

6-C As explained on page 2.2-20 of the Draft EIR, projected increases in PM_{10} and $PM_{2.5}$ are strongly influenced by the growth in vehicle miles of travel (the largest component of PM is entrained dust created by vehicles traveling over Bay Area roads) that inevitably increases with population and job growth. Implementation of the Proposed Project will actually reduce PM by 1.3 to 1.8 percent compared to the No Project alternative by 2030. In the short term, MTC has assisted in the reduction of PM by funding particulate traps for the region's diesel bus fleet. MTC will continue to collaborate with the Air District on strategies to control PM from other heavy-duty diesel sources of PM and to work with the California Air Resources Board on their list of suggested PM control measures. Given that entrained dust is such a large component of the PM inventory, strategies that focus on tire and pavement technology as well as dust control on freeways and local roads (e.g., road cleaning) may need to be given further consideration in the future.

6-D Some of these bike and walk trips likely switched to transit, which has an 8 percent increase in trips. Further, the actual numerical difference in trips between the Project and No Project is insignificant (0.2 percent). It is worth noting that in the Transportation 2030 Plan the Commission has committed $200 million in new funding towards a Regional Bicycle and Pedestrian Program – which represents the largest regional investment in bicycle and pedestrian facilities compared to past long-range plans.

6-E Comment noted.

LETTER 7: CITY OF ALAMEDA, DECEMBER 16, 2004

7-A Providing this information would be beyond the scope of this program EIR, as there are multiple and complex localized street impacts due to the extensive set of transportation projects being proposed in the Transportation 2030 Plan. At the regional scale of the program EIR, the cumulative local street impacts for a small number of ferry terminals would not be discernable from the impacts of other transportation projects impacts in the nearby area that might also impact these same local streets. The program EIR is not intended to relieve individual project sponsors (such as the Water Transit Authority acting as the lead agency) from the responsibility of completing more precise, project-level analysis. In this case, a project-specific transportation analysis of its proposed ferry services would fulfill the requirements of CEQA and/or NEPA.

LETTER 8: CONTRA COSTA TRANSPORTATION AUTHORITY, DECEMBER 27, 2004

8-A The alternatives analyzed represent a reasonable range of alternatives. CEQA does not prohibit analysis of alternatives that are subsets of a larger proposed project. In fact, a common means of reducing impacts of a proposed project is to reduce its size. For example, if a large-scale residential or commercial development represents a proposed project, an acceptable alternative would be a reduced-scale development. In the case of the alternatives analyzed for the proposed Transportation 2030 Plan, they generally represent smaller sets of transportation projects as well as new pricing and land use strategies to reduce impacts of the proposed project. Several of the alternatives do reduce impacts in one or more issue areas.

8-B Please refer to response to comment 8-A. The analysis in Chapter 3 of the Draft EIR analyzes impacts of the alternatives and identifies those issue areas where the alternatives would reduce or avoid impacts, relative to effects of the Proposed Project.

8-C As described in Part 3, page 3.1-4 of the Draft EIR, analysis of the TRANSDEF Smart Growth alternative in the EIR was required as part of a settlement agreement between MTC, TRANSDEF, Communities for Better Environment and the Bay Area Air Quality Management District in March 2004. The Draft EIR discusses issues about the feasibility of this alternative on page 3.1-37-38. Also, because of the different views expressed by the public about the feasibility of some of the concepts and strategies, MTC believes there were sufficient grounds to include the TRANSDEF Smart Growth Alternative as a stand-alone alternative for environmental analysis.

8-D Ramp metering was assumed but not modeled for the Bay Area freeway system in the TRANSDEF alternative. The effects of ramp metering on regional traffic operations would require a separate program level analysis that is beyond the scope of the analysis in this program EIR. Investigations of localized ramp impacts are also beyond the scope of the program EIR analysis, and would need to be addressed in project-specific studies. MTC agrees with the commenter that there could be deleterious effects on local street operations in certain circumstances, but some of these impacts may be mitigable through complementary improvements to local streets in the vicinity of the ramps.

8-E As noted on page 1.2-10 of the Draft EIR, a subset of financially constrained and vision element projects for each corridor are listed and illustrated in Figures 1.2-7 through 1.2-20. A comprehensive listing of the transportation projects and programs for the proposed Transportation 2030 Plan are included in Appendix C.

8-F Recommended change is hereby incorporated into the physical setting of Chapter 2.3 on page 2.3-1 of the EIR. See Section 2 for details.

8-G The contribution of railroads and trolleys is acknowledged in this paragraph, and national research on the role of highways in shaping urban development patterns supports the observations made. See, for example, Lewis Mumford's groundbreaking analysis, The Highway and the City (New American Library, 1964), John Kain's Essays on Urban Spatial Structure (Harvard University Press, 1975) and The Land Use and Urban Development Impacts of Beltways: Case Studies, published by U.S. Department of Transportation and U.S. Department of Housing and Urban Development (June 1980). Creation of multi-centered metropolitan areas was particularly spurred by the funding for the Interstate system that substantially increased after World War II. As this is simply introductory material, additional details on theories of urbanization is not needed to establish the setting for the impact analysis that follows.

8-H For all of the impact areas, the Draft EIR distills and synthesizes information to provide an overview. Individual projects, listed in the Appendix, are categorized by their physical attributes and then, using computer-based mapping and overlay programs, the potential effects on existing land uses in identified corridors are calculated. A list of the 151 projects

that fit the criteria used to develop this table is added to page 2.3-27 of the EIR in response to this recommendation. See Section 2 of this Final EIR for details.

8-I The air quality analysis focuses on pollutants with existing defined standards, such as ozone, carbon monoxide and particulate matter. Global warming may be a contributor to ozone formation if temperatures rise, but the future climate impacts on specific regions is difficult to predict. Therefore, the Draft EIR has chosen to include the discussion in the Energy Chapter, given the close association with the combustion of fossil fuels in motor vehicles and the production of CO_2 as a primary greenhouse gas.

8-J See revised noise Table 2.5-7 in Section 2 of this Final EIR.

8-K As described on page 2.7-13 of the Draft EIR, proposed transportation improvements that are located in 100-year flood hazard areas have a greater potential impact on water resources than projects not located in these zones. The methods used to determine potential project impacts on hydrologic resources were based primarily on the project's location, and not upon detailed project descriptions. As noted on page 2.7-10 of the Draft EIR, project-specific studies are necessary to determine the actual potential for significant impacts on hydrology and water quality. In the absence of project-specific details, generalized mitigation measures included on page 2.7-15 of the Draft EIR to reduce potential flooding impacts include elevating all roadbeds for new highway and rail transit facilities, and the bottom of overpasses at least 1 foot above the 100-year base flood elevation. Project improvements should also be designed to allow lateral transmission of stormwater flows across transportation corridors with no increased risk of upstream flooding. Should the existing roadway associated with Project 22353 already meet this standard, then no further mitigation would likely be required beyond ensuring any potential expansion of base structures do not increase flooding risks by redirecting flood flows.

8-L As identified on page 2.8-12 of the Draft EIR, the programmatic level of project review in the Transportation 2030 Plan EIR did not allow a project-level analysis of potential impacts for individual projects. The methods used to determine potential project impacts on biological resources were based primarily on the proximity of a project's footprint to sensitive resources, and not upon detailed project descriptions. As stated in the Biological Resources Impact Analysis, this project screening method has the potential to overestimate potential impacts, which may be the case for the two projects identified by the commenter. For Project 22602, which intersects at least one creek but "would be unlikely to require significant expansion of culverts or bridges," according to the commenter, the screening process correctly identified wetlands and associated special status species as a project concern. In regard to Project 98222, the adjacent Phase III of the State Route 4 Bypass Project, which is not a Transportation 2030 Plan project, traverses largely undeveloped lands that provide potential habitat for numerous special status species, including San Joaquin kit fox in the extreme northern portion of this species' range. In assessing the potential impacts of Project 98222, it was presumed that the SR4 - SR 160 connector project could affect similar habitat and that these impacts would need to be considered during the individual project review process. For this reason, this project was included in

Table 2.8-2. During the project-level analysis of these and other projects it may be determined that relatively minor impacts would be incurred to biological resources as a result of these projects. However, it would be imprudent to dismiss the potential for such impacts at this stage of environmental review. Hence, both projects should remain included in Table 2.8-2.

8-M In an attempt to be comprehensive, the analysis may have included a handful of projects which do not, in fact, have a long-term significant visual impact, like Project 22353 mentioned in the comment. The question of whether the criterion of "increased visual contrast" can be and has been objectively applied is a second issue. This is one of several widely accepted and employed criteria used as aids in judging visual impacts during the environmental review process. Visual contrast can be objectively described as changes in hue, intensity of light, and refraction of light. The commenter is correct in noting that it is often a subjective judgment whether or not a proposed project has the potential to create increased visual contrast, especially given that the projects have often not yet been designed. Finally, in response to the opinion that the fourth bore at the Caldecott Tunnel serving State Route 24 would not be a significant increase, we respectfully disagree. The tunnel is a major element in a visually sensitive area in the Robert Sibley Volcanic Regional Preserve, which is part of the East Bay Regional Park System. The tunnel would impact both the westbound direction coming from Orinda and the eastbound direction coming from Oakland. The proposed project has already been a contentious topic and will continue to be so. It is important to include this project in a discussion of visual impacts in a program EIR; however, project-specific environmental review may further illuminate this discussion.

8-N The reviewer makes a number of valid observations; however, some of the statements made in this section of the EIR are not correctly characterized by the comment. It is not the EIR's intent to assert that "the mere existence of an imbalance… will ineluctably lead developers and local agencies to take actions to add jobs or housing…" It certainly is true that many factors affect the evaluation of an urban fabric; it also is true that much theoretical and empirical research has been done on residential and workplace location decision-making and the implications for land use and transportation planning.[2]

The basic model, formulated by Alonso, Kain, and Brown, posits a tradeoff between journey to work costs and housing costs. Some workers prefer to live close to their place of employment to reduce travel time and cost, while others opt for housing in a suburban environment, with reduced costs or greater amenities. Over the past 40 years, there has been an increased suburbanization of employment opportunities, as businesses moved out of the central cities to suburb locations to be closer to a labor force. Developers seek to anticipate trends and respond to perceived changes in market demand, so it is logical to

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[2] See W. Alonso, Location and Land Use (Cambridge, Harvard University Press, 1964); J. Kain, Essays on Urban Spatial Structures (Cambridge, Harvard University Press, 1975), H.J. Brown, "*Changes in Workplace and residential Location*," (Journal of the American Institute of Planners, January 1975).

expect some correlation with and response to changes in the balance of jobs and housing in subareas.

More to the point, though, is the fact that MTC's Transportation/Land use Platform intends to reduce jobs/housing imbalances by supporting coordinated transportation/land use planning, particularly with the objective of getting more housing in the Bay Area, especially in locations well-served by transit[3]. One of the evaluation criteria for planning and capital projects in Contra Costa's $100 million Transportation for Livable Communities Program is whether or not:

> *the project will involve development of community-oriented transportation strategies designed to limit the extent to which it is necessary to travel from one community to another to access the basic necessities of living or to improve connectivity between neighborhoods, shopping areas, employment centers, downtowns and main streets and expand travel choices.*

The basic idea presented in this section of the Draft EIR is that the Transportation 2030 Plan, with its transit investments, coupled with MTC's Transportation/Land use Platform and similar initiatives at the county and city level for planning for transit-oriented development, will support the relationships described and, through funding incentives, help establish the causality described, thereby fostering more transit-oriented development (TOD). MTC's TOD consultant has determined that 25 percent to 30 percent of Bay Area households in 2030 will want to live near transit and that transit-oriented jobs are likely to grow slightly[4]. The EIR took cognizance of these observations in making the statements cited. While there is no assurance that this development will occur, there is substantial evidence in the recently completed case studies of transit-oriented development, commissioned by MTC, that it may be more likely given supportive public policies, funding incentives and the flexibility to tie expectations to local markets and political realities.

Inter-regional commuting is discussed in ABAG's *Projections 2003 Technical Appendix.* The *Technical Appendix* explains that commuting into and out of the Bay Area is a considerable phenomenon and that more people commute into the region than to jobs outside the region. *Projections 2003* forecasts a net in-commute of approximately 280,000, or roughly six percent of the region's jobs by 2025. The significant difference in housing prices is the primary reason for inter-regional commuting: the median price for a single family detached home in the Bay Area was about $500,000 in 2003, compared with a similar home in the Central Valley, which sold for $200,000. *ABAG* suggests that without considerable policy changes, there is nothing limiting the growth in inter-regional commuting or the suburban development (of lower-cost housing, for example) that makes such commuting possible.

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[3] Pg. 127, *Transportation 2030 Plan.*

[4] See "Policies and Incentives to Encourage TOD in the Bay Area", MTC, November 2004.

One of the goals of the Smart Growth Vision of *Projections 2003* is to reduce inter-regional commuting. One way to do this is to increase the number of lower cost housing units in the Bay Area. Infill opportunity sites could be appropriate locations for such housing. If these sites were located near convenient transit, the appeal of such a combination (of housing and transit) could induce current residents to remain in the area and in-commuters to relocate to the area. In such a scenario, the increase in available housing units in the Bay Area near established employment centers and served by transit investments would, indeed, lesson the pressure for development in outlying areas. These considerations are behind the rationale of the Draft EIR in positing that transit investments could encourage infill, which would improve the jobs/housing balance and act as a deterrent to urban sprawl and regional growth inducement.

The commenter questions the chain of causality. We believe that the statement on page 2.11-10 is appropriate based on the fact that the Transportation 2030 Plan has a program to encourage such development and to coordinate its efforts with regional neighbors because "in-commuting pressures are directly tied to jobs/housing imbalances spilling over our borders." The focus on imbalances and the potential role of infill development is not speculative; it derives from the text of the Plan itself and the implementation strategies for the Transportation/Land Use Platform. For these reasons, no revisions to the Draft EIR are proposed in response to the issues raised.

The link back to the statement quoted ("the ways in which the proposed Transportation 2030 Plan could generate population and employment growth beyond levels currently anticipated in regional and local plans." (p. 2.11-1)) is based on the implementation strategies presented in the Transportation/Land Use Platform, included in the Appendix Two of the Transportation 2030 Plan, which among other initiatives, call for "bringing more housing into the Bay Area" (Strategy #5) and "investigating the feasibility of new joint planning efforts such as a housing and job location strategy... that would reinforce infill development as a priority for growth in cities and established suburbs" (Strategy #6). MTC has not yet set thresholds for what it considers minimum densities in transit station areas and transit corridors, and it may well be that these minimums could result in population and employment growth beyond levels currently anticipated in regional and local plans, the point questioned by the commenter. In fact, in Contra Costa County, local officials have raised questions about MTC's intent to impose additional conditions beyond policies adopted by BART on funding transit extensions, such as eBART, wondering whether MTC may be exceeding its statutory authority and breaking faith with voters who approved Regional Measure 2 and Contra Costa's Measure J. To the extent that these conditions call for increases in density and other commitments to transit-supportive land use that require amendments to local General Plans, population and employment growth may exceed that of current plans. Local governments also must balance other, sometimes competing objectives, and the need for a balance between jobs and housing is one objective that should be considered. With this additional perspective, it is not essential to add text to the Draft EIR in response to the comment particularly in light of the fact that MTC has not yet concluded what criteria to apply in evaluating whether station area and corridor development is, in fact, transit-supportive or whether General Plan amendments are required.

LETTER 9: ALAMEDA CONGESTION MANAGEMENT AGENCY, JANUARY 3, 2005

9-A These are valid comments, and they are already addressed in the EIR. For example, Appendix D.1 explains the assumptions of the TRANSDEF Smart Growth Alternative, including the fact that the land use assumptions have not been reviewed by local governments and they are not consistent with *Projections 2003*. Appendix D.2 includes a detailed comparison of the differences between *Projections 2003* and the TRANSDEF Smart Growth Alternative land use assumptions.

Issues regarding the feasibility of the TRANSDEF Smart Growth Alternative, including the exclusion of certain projects for which funding has already been identified, were discussed in the Draft EIR. The reasons for the inclusion of the TRANSDEF Smart Growth alternative in the Draft EIR were stated in response to comment 8-C above.

LETTER 10: TRANSPORTATION AUTHORITY OF MARIN, JANUARY 7, 2005

10-A The purpose of Alternative 2 (Financially Constrained Plus Sales Tax alternative) was to assess the incremental environmental issues associated with a defined list of county sales tax projects to be placed before the voters in November 2004. Passage of these measures (except for Solano County) does not change the original environmental purpose for assessing this alternative. Passage of four sales tax measures will result in changes to the Financially Constrained portion of Transportation 2030, but not in the environmental impacts of the Proposed Project, which already included these projects in the Vision Element.

10-B Feasibility issues associated with the TRANSDEF Smart Growth Alternative are discussed in the Draft EIR. See response to comment 8-C above for explanation as to why it was included in the Draft EIR.

10-C A valid point; however, no additional text needs to be added to the EIR as the commenter is simply offering an additional observation about how the land use assumptions in the TRANSDEF Smart Growth alternative has such a large impact on commuting to San Francisco. Differences in land use assumptions between TRANSDEF and ABAG are presented in Appendix D.2 of the Draft EIR.

LETTER 11: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY, JANUARY 7, 2005

11-A Comment noted.

LETTER 12: SAN FRANCISCO TRANSPORTATION AUTHORITY, JANUARY 7, 2005

12-A Yes, the TRANSDEF Smart Growth Alternative excludes some "committed" projects and several voter-approved projects or programs. The Draft EIR points out this fact.

LETTER 13: SOLANO TRANSPORTATION AUTHORITY, JANUARY 6, 2005

13-A Recommended correction is hereby incorporated in Figure 1.2-6 on page 1.2-11 of the EIR. See Section 2 of this Final EIR for details.

13-B Recommended change is hereby incorporated in the EIR. See Section 2 of this Final EIR for details. This comment points out one project found in Table 2.5-7 on page 2.5-31 as having the incorrect corridor associated with it. In fact, the entire table has been corrected.

13-C Feasibility issues associated with the TRANSDEF Smart Growth Alternative are discussed in the Draft EIR, including the exclusion of certain committed projects with identified funding. See response to comment 8-C above for explanation as to why it was included in the Draft EIR.

LETTER 14: PORT OF OAKLAND, JANUARY 5, 2005

14-A See responses to comments 8-C and 13-C.

LETTER 15: CONTRA COSTA COMMUNITY DEVELOPMENT DEPARTMENT

15-A Comment noted. MTC solicited comments on the alternatives to be evaluated as part of the public scoping and Notice of Preparation process prior to preparing the Draft EIR, and determined that the major area of interest with respect to the current HOV system was in the HOT lane concept. The process of evaluating carpool vehicle occupancy requirements and hours of operation for various HOV facilities in the region is an ongoing process involving MTC, Caltrans, CHP, and local transportation agencies. In addition, some of these issues are reviewed in corridor or project-specific studies, as well as subsequent planning, environmental, and implementation documents. Changes in carpool occupancy requirements on the Bay Bridges will have financial implications in terms of the amount of revenue collected and the relationship to the ability to service outstanding bonds for bridge improvements.

15-B The Transportation/Land Use Platform, presented in Appendix Two of the Transportation 2030 Plan, includes as implementation strategy #3 a provision to "Encourages cities and counties to incorporate General Plan policies that support transit-oriented development around Resolution 3434 stations." This is not a requirement of the Transportation Plan itself. MTC does intend to develop and adopt criteria to define what supportive land use is. However, no decisions have been made by the 25-member Transportation/Land-Use Task Force or by the Commission on what performance measures to use to evaluate local plans and whether planned population densities and, possibly, employment intensities are transit-supportive, so it is premature to conclude anything about the degree to which local plans must be changed and what the resulting growth impacts would be. In fact, the November 2004 PowerPoint presentation entitled "*Policies and Incentives to Encourage TOD in the Bay Area*" that is available on MTC's website includes several slides on the options for performance measures being considered to establish specific thresholds. None of these, in fact, contain information on the number of people or jobs that should be targeted for transit-corridors or transit station areas, so any assumptions about what densities or intensities may be considered as transit-supportive would be speculative. Without such guidance, it is impossible to know what the unanticipated increases in population may be or whether growth around existing and planned transit stations would be consistent with local general plans. Further, in the discussion of Implementation Strategy #3, the Transportation/Land-Use Platform specifically says that "the criteria will be

scaled to match the type of transit investment to local land use patterns," which clearly implies that some balance is sought. The program also is intended to be incentive-based so local governments would be free to make their own determinations about how to accommodate growth and minimize impacts on existing facilities and services. For these reasons, no additional analysis needs to be added to the EIR in response to this comment.

LETTER 16: CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH, JANUARY 7, 2005

16-A Please see responses to comments 6-A and 6-C above, which address PM issues. The Draft EIR does identify the cumulative increase of PM as "*significant, potentially mitigable, but strategies not defined*" (page 2.2-20). MTC anticipates that the federal, state, and local air quality agencies will be focusing more on these issues in the future with an eye towards identifying realistic and effective control strategies for different types of PM sources, based on the amount of emission reduction required. As it has with ozone and carbon monoxide pollutants, MTC will work with these agencies to implement effective control strategies within the scope of its authority.

16-B Comment noted.

16-C This comment concerns the substance of the Transportation 2030 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA. However, please note that the Transportation 2030 Plan earmarks $1.3 billion in funding for transit capital rehabilitation expanses, commits $216 million in new funding for the Lifeline Program, and proposes a 5-point transportation/land-use platform described in Appendix Two.

LETTER 17: SAN FRANCISCO TOMORROW, JANUARY 3, 2005

17-A This comment does not accurately reflect the impact analysis presented in the Transportation and Land Use, Housing and Social Environment chapters of the Draft EIR. The significance criteria for transportation impacts included increases in travel time, decreases in job accessibility by auto and transit, increases in vehicle trips, and increases in vehicle miles traveled at Level Of Service F. As noted on page 2.1-6 of the Draft EIR, this set of criteria is more expansive than the criteria provided in the CEQA Guidelines. In addition, community disruption is included in the set of significance criteria for land use, housing and social environment impacts.

17-B The TRANSDEF Smart Growth Alternative was identified as the overall environmentally superior alternative, but it was not universally superior in the issue area of transportation. In selecting among alternatives, decision makers must weigh the environmental advantages and disadvantages of each alternative and consider other factors such as ability to achieve project objectives, consistency with plans and policies, and plan feasibility. Specific feasibility issues addressed in the Draft EIR relate to land use authority, elimination of projects from the Plan that already have full funding via voter approved revenues and other sources, and the imposition of untested pricing strategies (pages 3.1-37 and 38). MTC will need to take these factors into consideration as well.

LETTER 18: TRANSDEF (TECHNICAL SUBMITTAL), DECEMBER 12, 2004

18-A The detailed technical report submitted for the TRANSDEF Smart Growth alternative contains a number of performance measures comparing the TRANSDEF Smart Growth alternative with the Financially Constrained alternative based on the view that the Plan adopted by MTC must be the Financially Constrained alternative. The reasons why the Proposed Project may be adopted as the Plan are explained in responses 20-A, 20-B, and 20-C below. As required by CEQA, an EIR shall describe the range of reasonable alternatives to the project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. So, while this technical report compares the transportation impacts and demographic differences between the Financially Constrained and TRANSDEF Smart Growth alternatives, the appropriate CEQA analysis would remain that of comparing the proposed project (Transportation 2030 Plan) with the No Project for the detailed analysis and all the EIR alternatives identified (which includes the TRANSDEF Smart Growth alternative) with the proposed project in the chapter on Alternatives to the Project.

LETTER 19: TRANSDEF (SHERMAN LEWIS), JANUARY 7, 2005

19-A Comment noted as to the benefits and potential issues/impediments associated with the TRANSDEF Smart Growth Alternative.

19-B The commenter seeks to differentiate between ABAG *Projections 2003* and the land use changes discussed in the multi-agency, two-year Smart Growth Vision process. These distinctions are interesting, but not ones that need to be addressed now in the CEQA process for the Transportation 2030 Plan. Clearly, the Plan has used ABAG's policy-based *Projections 2003*, whereas the TRANSDEF alternative takes these projections further with more substantial changes to future land use patterns for the Bay Area as a whole and for a number of local communities. Appendix D.2 clearly defines differences in land use assumptions between the two sets of demographic forecasts, and no additions or modifications to the text of the EIR are required as a response to these comments.

19-C The highway lane miles figures referenced in this comment are not accurate. Table 3.1-3 of the Draft EIR (page 3.1-13) shows that the Project, Financially Constrained, and TRANSDEF Smart Growth alternatives result in 1,500, 700, and 400 more lanes miles of freeway and expressways than the existing conditions (year 2000), respectively.

19-D Pages 3.1-5 and D-4 of the Draft EIR describe the pricing strategies assumed in the TRANSDEF Smart Growth alternative and considered by MTC in the evaluation of this alternative. This comment further elaborates on the various pricing strategies and how they would be implemented. MTC and TRANSDEF agreed on how these strategies would be modeled in advance of preparing the Draft EIR and agree with the commenter's statement that MTC was not able to directly test all the assumptions in the TRANSDEF Smart Growth alternative.

19-E Comment noted. The indicators used to measure highway performance are the byproduct of other modeling results which do reflect how people make choices between modes and travel routes, and which do involve travel time, and costs. The travel models employed by MTC enable comparisons between alternatives that vary in their travel time and cost and, therefore, are a reasonable first order approach to understanding differences that pricing can have on individual travel behavior. Extending the current analysis capabilities of MTC's travel models, based on examination of general attitudes that influence transportation decisions and investigating variations in people's monetary value of travel time is beyond the scope of this EIR analysis.

19-F The current generation of travel demand models does a reasonable job in assessing all of the major components of induced travel demand, including route shifts, time-of-day shifts, modal shifts, and trip destination shifts. In addition, MTC's travel demand models include feedback between trip assignment and auto ownership choice (e.g., increases in transit investment and transit accessibility will dampen the increase in auto ownership levels.) This means that both auto ownership and the subsequent trip generation forecasts are sensitive to changes in auto and transit accessibility. Therefore, induced vehicle trip demand is reasonably accounted for in these forecasts, and the estimates of vehicle hours of delay should not be underestimated. Further, any induced demand in the form of making more trips than would otherwise be made because of excess capacity on a roadway would be short term in nature, since regional growth would eventually fill up this capacity anyway. The draft EIR's analysis of alternatives focuses on this longer term perspective, which includes substantial population and employment growth out to 2030.

19-G This comment offers a different interpretation of the data presented in Table 3.1-4 of the Draft EIR. For this EIR, the parameters used to describe congestion include the *magnitude* (expressed in terms of daily vehicle hours delay), and *duration* (as expressed in average delay per vehicle in minutes), as shown on separate rows in Table 3.1-4 of the Draft EIR. The TRANSDEF Smart Growth alternative results in a 24.3 percent increase in daily vehicle hours of delay, compared to the Project alternative, and results in a higher and less efficient road way system for auto users with an average delay of 2.4 minutes per vehicle, compared to the 1.8 minutes of average delay per vehicle from the Project alternative. The commenter suggests that the TRANSDEF Smart Growth alternative has less total vehicle delay compared to the Financially Constrained alternative, but this comparison assumes that all aspects of the TRANSDEF Smart Growth alternative meet MTC's more rigorous definition of reasonably available revenues, which is not the case.

19-H Projected hours of vehicle delay do increase in all alternatives compared to 2000, since there are no acceptable public strategies either on the supply side that would generate the required revenues to meet the demand posed by an expanding population and job base, nor on the demand management side that would reduce vehicle activity to levels near or below 2000. Managing this increase in delay will involve initiatives in both areas, including further exploration of ideas in the SGA, and developing sufficient popular support to move forward. While vehicle hours of delay do increase on average, the impact on Bay Area travelers will not be a uniform amount, and will depend on the mode, corridor, and time of day of a trip. It is also possible in the long run that Bay Area residents will place a higher

premium on housing locations closer to their jobs to avoid some of the predicted delays in the more congested corridors, perhaps exceeding some of the assumptions in *Projections 2003* for closer-in housing.

19-I This comment applies to all alternatives analyzed. However, the rationale for why projects were included or excluded in the transportation network for a particular alternative is not germane to this EIR analysis since the analysis focuses on the interactive performance of the complete set of projects at the system level, not on individual projects.

19-J This comment refers to the separate technical analysis submitted along with the commenter's letter. Without time for a detailed review, MTC staff assumes these comparisons are valid and provide useful supplemental information for further discussion of the TRANSDEF Smart Growth Alternative. However, these measures would not necessarily improve upon the criteria currently used in the Draft EIR to gauge the significance of various types of transportation impacts.

19-K Please refer to responses to comments 20-A, 20-B, 20-C, and 21-D.

19-L The transportation analysis in the Draft EIR is not intended to be exhaustive in its scope, given the number of environmental impact areas that must be addressed in a program EIR of this magnitude. The additional information suggested by the commenter in the form of VMT per capita, transit boardings per 1000 persons, and possibly other comparative data could be elaborated upon in future discussions about the TRANSDEF Smart Growth alternative should the Commission seek this information.

19-M The air quality analysis focuses on pollutants with existing defined standards, such as ozone, carbon monoxide and particulate matter. Global warming may be a contributor to ozone formation if temperatures rise, but the future climate impacts on specific regions is difficult to predict. Therefore, the Draft EIR has chosen to include the discussion in the Energy Chapter, given the close association with the combustion of fossil fuels in motor vehicles and the production of CO_2 as a primary greenhouse gas.

19-N The text cited on page 2.3-23 refers to the transportation improvements incorporated into the Transportation 2030 Plan. It is true that the Plan calls for conditioning transit expansion on appropriate land uses "with development intensities to support the transit service." Nowhere on this page is there an explicit requirement that local plans have to be changed; many local plans may already anticipate land use in transit corridors at densities that will support transit. The Transportation 2030 Plan states that a task force is working with MTC on developing recommendations on how to best leverage transit expansion investments. The Transportation/Land Use Platform, presented in Appendix Two of the Plan, includes guiding principles and "encourages cities and counties to incorporate General Plan policies that support transit-oriented development around Resolution 3434 stations," and MTC intends to develop criteria to define what supportive land use is. However, no decisions have been made by the Commission on what performance measures to use to evaluate local plans, so it is premature to conclude anything about the degree to which local plans must be changed.

19-O This comment is addressed through revision to Appendix C, which is hereby be modified to indicate the inclusion of SMART commuter rail project in the TRANSDEF Smart Growth alternative, as shown in Section 2 of this Final EIR.

19-P Please refer to responses to comments 19-G, 19-L and 19-H.

19-Q Please refer to response to comment 19-E.

19-R This comment concerns what the commenter believes is a missing goal in the Transportation 2030 Plan—"to reform prices to internalize external costs and to charge users more directly for these costs" and thus make a properly structured travel market a goal in itself. Since this comment addresses the substance of the Transportation 2030 Plan itself, it does not raise environmental issues under CEQA.

LETTER 20: TRANSDEF (LAW OFFICE OF MARC CHYTILO), JANUARY 7, 2005

20-A This EIR evaluates five alternatives to the proposed Transportation 2030 Plan, including the No Project as required by CEQA, Financially Constrained, Financially Constrained Plus Sales Tax, Financially Constrained Plus High-Occupancy Toll Network, and the TRANSDEF Smart Growth Alternative as provided for in the Settlement Agreement and Release entered into by TRANSDEF, Communities for Better Environment (CBE), Bay Area Air Quality Management District, and MTC in March 2004. These alternatives offer a range in assumptions for land use, overall transportation funding levels, mixes of transportation projects and programs, and pricing strategies (Draft EIR, p. 3.1-2 – 3.1-6). We agree that fiscal constraint was not applied equally to all alternatives, nor does it have to be for the purpose of the EIR analysis.

Under CEQA, an EIR must consider a range of reasonable alternatives to the project. "The range of alternatives required in an EIR is governed by a 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only ones that the lead agency determines could feasibly attain most of the basic objectives of the project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision making." (CEQA Guidelines, §15126.6, subd. (c); see also Sequoyah Hills Homeowners Association v. City of Oakland (1993) 23 Cal.App.4th 704; City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 401, 416-417; and the Carmel-by-the-Sea v. U.S. Department of Transportation (9th Cir. 1997) 123 F.3d 1142 (CEQA/National Environmental Policy Act "NEPA") case explaining that the court will not lightly second-guess an agency's formulation and refinement of its own objectives and will uphold an alternatives analysis that reflects proper project objectives.) See also the Memorandum to MTC Planning and Operations Committee from MTC Executive Director re: Alternatives to be Evaluated in Transportation 2030 Environmental Impact Report, July 2, 2004 (incorporated by reference herein pursuant to CEQA Guidelines section 15150 and Public Resources Code section 21092).

CEQA establishes no categorical legal imperative for the scope of alternatives to be analyzed in an EIR. Each case must be evaluated on its own facts, which in turn must be reviewed in light of the statutory purpose. Analysis of every imaginable alternative or mitigation measure is not required; rather, CEQA is concerned with potentially feasible means of reducing environmental effects. (CEQA Guidelines, § 15126.6, subd. (a).)

Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans of regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire control or otherwise have access to the alternative site. No one of these factors establishes a fixed limit on the scope of reasonable alternatives. (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal. 3d 553.)

The law does not require that every conceivable alternative be stated in the EIR, nor that the alternatives that are stated be described in every possible detail. What is required is that the EIR give reasonable consideration to alternatives in light of the nature of the project. (See, e.g., Marin Municipal Water District v. KG Land California Corporation (1991) 235 Cal.App.3d 1652, 1665-1666; Al Larson Boat Shop v. Board of Harbor Commissioners (1993) 18 Cal.App.4th 729, 745-746; Mountain Lion Foundation v. Fish and Game Commission (1997) 16 Cal.4th 105, 135-136.)

The goals for the Transportation 2030 Plan were developed in direct response to public comment. At the June 2003 Transportation Summit, the goals for the 2001 Regional Transportation Plan were criticized as being too broad to provide meaningful direction for the regional plan. In addition, there was an overwhelming call for more measurable objectives in the plan that would allow MTC to chart progress towards the goals. In September 2003, MTC and its public agency partners proposed nine more specific goals for the 2030 Plan. These goals were tested with the public through numerous workshops and focus groups. In December 2003, the Commission adopted a final set of goals for the Transportation 2030 Plan, and the titles of these goals are as follows: A Safe and Well Maintained System, A Reliable Commute, Access to Mobility, Livable Communities, Clean Air, Efficient Freight Travel (Draft EIR, p.1.2-1 – 1.2-2); see also Memorandum to MTC Planning and Operations Committee from MTC Executive Director re: Transportation 2030 Plan: Final Phase 1 Recommendations (Approval of the Transportation 2030 goals and objectives), December 12, 2003 (incorporated by reference herein pursuant to CEQA Guidelines section 15150 and Public Resources Code section 21092). These goals are not simply and narrowly defined to "gain access to funding necessary to achieve the transportation improvements" as asserted by the commenter, but rather they are intended to serve the region's mobility needs (Draft EIR, p.1.2-1).

MTC has complied with federal, state and MTC statutes that guide the content of a regional transportation plan (Draft EIR, p. 1.2-4 – 1.2-7). As described on p. 1.2-8 of the Draft EIR, the Transportation 2030 Plan includes a financially constrained subset of projects (Financially Constrained Element) in full compliance with federal planning regulations, that is, it identifies projects that can be delivered with revenues that are deemed to be reasonably available over the planning period. MTC's definition of reasonably available

revenues continues to be very rigorous and restrictive in terms of defining these revenues, meaning there must be existing authority for the revenues to be assumed, either via legislative action or prior voter approval. In addition, as permitted by federal, state and MTC statutes, the Plan also includes illustrative transportation projects that would have benefits if additional revenues were secured in the future (referred to as the Vision Element). Projects in the vision element would be funded by specific revenue sources identified in the Transportation 2030 Plan that have a reasonable chance of being approved over the next 25 years (including new or reauthorized county transportation sales taxes, higher gas taxes, higher vehicle registration fees, a High Speed Rail Bond, revenues from a system of High-Occupancy/Toll (HOT) lanes, and so forth); see also page 36 of the Draft Transportation 2030 Plan.

Specifically, federal planning regulations require that long-range transportation plans contain, at a minimum, "a financial plan that demonstrates how the adopted long-range transportation plan can be implemented, indicates resources from public and private sources that are reasonably expected to be available to carry out the plan, and recommends any additional financing strategies for needed projects and programs." The financial plan may include, for illustrative purposes, additional projects that would be part of the adopted long-range transportation plan if reasonable additional resources beyond those identified in the financial plan were available" (23USC134). Similarly, the state's enabling statute for MTC provides the Commission with the latitude to "consider various sources of revenues, without regard to any constraints imposed by law on the expenditures from such sources, necessary to assure adequate financing of the system…" (State Government Code Section 66512). Furthermore, the State's guidelines for regional transportation plans state that "plans may include a list of candidate projects if funding becomes available and may include projects without reasonably available funding if funding sources are identified (see Appendix D of the Regional Transportation Plan Guidelines (December 1999).)

MTC has determined through extensive public outreach that the public is interested in more than a financially constrained Plan, and the new content of the Plan with its vision element is intended to respond to this public interest. The public is well served by having full disclosure of the most extensive list of transportation projects under consideration in the region, should additional new transportation funding become available. It is worth noting that the projects in the vision element of the Plan come from local and regional transportation planning processes and already have a high degree of public acceptance. Additionally, the Plan provides a more efficient way for government to respond to the constantly changing transportation funding landscape: projects can move from the vision element to the financially constrained element when new revenues arise without continually revisiting the entire environmental process – for example, many projects moved from the vision element of the draft Transportation 2030 Plan into the financially constrained element as a result of the approval of four county transportation sales tax and two transit property taxes in the November 2004 elections. MTC is not unique in adopting a Plan that has both a financially constrained element and a vision element. San Diego Association of Governments (SANDAG) adopted a similar Plan, and its EIR identified the Financially Constrained plus Vision Plan as the Preferred Project. (See Mobility 2030: The

Transportation Plan for the San Diego Region and Final Environmental Impact Report (March 2003).)

20-B None of the citations from federal and state law or state RTP guidance that were referenced in this comment preclude MTC from adopting a more robust Plan, as long as the financial constraint element is addressed. Please also refer to response to comment 20-A.

The EIR does not, as the commenter suggests, blur the federal requirement for fiscal constraint. The set of projects MTC believes can be delivered with reasonably available revenues is clearly identified in Appendix One of the Draft Transportation 2030 Plan and Appendix C of the Draft EIR. Furthermore, as explained on p. 1.2-8 of the Draft EIR, MTC can only approve federal and state funding for projects in the financially constrained element of the Plan and program them in the Transportation Improvement Program (TIP). MTC agrees that federal law requires the air quality conformity analysis to be conducted on the projects in the financially constrained portion of the Plan, and MTC has done so. But federal law does not preclude MTC from adopting a larger set of projects in the context of a larger long-range plan.

Additionally, in order to isolate the environmental effects of the set of projects identified in the financially constrained element of the Plan and to disclose this comparative information to the public, MTC evaluated a separate revenue constrained EIR alternative—called the Financially Constrained alternative. Thus the draft EIR provides the environmental information for a financially constrained plan. It is unlikely, for the reasons outlined above, that the Commission will adopt this alternative given the environmental analysis that was conducted and the public's support for the larger planning vision.

20-C The CEQA Guidelines require an EIR to consider a reasonable range of alternatives to a proposed project or program. MTC has fulfilled this requirement by evaluating five alternatives to the proposed project, including the No Project as required by CEQA, Financially Constrained, Financially Constrained Plus Sales Tax, Financially Constrained Plus High-Occupancy Toll Network, and the TRANSDEF Smart Growth Alternative as provided for in the Settlement Agreement and Release entered into by TRANSDEF, Communities for Better Environment (CBE), Bay Area Air Quality Management District, and MTC in March 2004. Please also refer to response to comment 20-A.

Further, the CEQA Guidelines also require an EIR to include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. MTC has also complied with this requirement through the analysis of the alternatives on p. 3.1-1 through p. 3.1-44 of the Draft EIR.

The CEQA Guidelines also require each EIR to identify the environmentally superior alternative among the alternatives analyzed. If the No Project alternative is the environmentally superior alternative, the EIR must select another from among the alternatives analyzed. MTC has also fulfilled this requirement by initially selecting the No Project alternative as the environmentally superior alternative because it would have

comparatively less new construction activity and hence fewer environmental effects, and then, because CEQA does not allow the No Project to be selected as the environmentally superior alternative, the TRANSDEF Smart Growth Alternative was selected as the next environmentally superior alternative, with reservation about several unanswered questions about the feasibility of this alternative and its ability to meet the project objectives as discussed on p. 3.1-37 through p. 3.1-38 of the Draft EIR. And lastly, the CEQA Guidelines require the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable." An agency shall prepare a statement of overriding considerations to reflect the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment. Therefore, the Commission may adopt any one of the alternatives analyzed in the Draft EIR. The Commission may adopt the Proposed Project with a statement of overriding considerations to specify its reasons and supports its action based on the Final EIR and/or other information in the record. Appendix B of this Final EIR contains the Statement of Overriding Considerations.

LETTER 21: TRANSDEF (DAVID SCHONBRUNN), JANUARY 6, 2005

21-A Please refer to responses to comments 20-A, 20-B, and 20-C.

21-B *Selection of Environmentally Superior Alternative.* In CEQA Guidelines, Section 15126.2, Consideration and Discussion of Alternatives to the Proposed Project, the mandate is to "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project." This section goes on to state that "An EIR is not required to consider alternatives which are not feasible." Further, in subparagraph (c), the Guidelines provide clear authority to reject alternatives judged infeasible and to include in the administrative record "Additional information explaining the choice of alternatives." Finally, in subparagraph (f), the Guidelines state that "An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative." In this context, feasibility is defined to include among other factors, "economic viability, general plan consistency, and other plans or regulatory limitations." The overall emphasis throughout this section of the Guidelines is that the analysis be governed by a "rule of reason." The commenter questions the phrase "if all impact areas are artificially given equal weight" as obscuring the benefits of the TRANSDEF Smart Growth Alternative. However, the intent was to indicate that there are a myriad of possible weightings of the various environmental evaluation criteria, based on how individuals might assign different levels of importance to these criteria. Therefore, the overview evaluation treated them all equally. This is artificial in the sense that real people would normally assign their own weights based on their individual attitudes. This "rule of reason" test is met, and no change is proposed in the evaluation methodology used to select an environmentally preferred alternative because MTC believes

its approach is consistent with these provisions of CEQA Guidelines and that project objectives can be considered in this section of the EIR.

21-C *Improper definition of No Project Alternative.* According to CEQA Guidelines, the reason to evaluate the No Project alternative is to understand the difference between the impacts of approving the proposed project and the impacts of not approving the project (Section 15126.6 (e) (1)). The No Project is to include not only existing conditions but also "what would reasonably be expected to occur in the foreseeable future if the project were not approved." (Section 15126.6 (e) (2)). The committed projects are projects with secure funding and are part of the future baseline incorporated into the No Project Alternative, and therefore they do not have to be separately addressed in the "build" alternatives. A stand alone report on the need to honor prior funding commitments was issued in connection with the 2001 Regional Transportation Plan EIR and is incorporated by reference as permitted by CEQA *(see Report of Arthur Bauer & Associates to MTC staff dated December 6, 2001)*. Based on the CEQA guidelines above, no change in the definition of the No Project Alternative is required.

21-D MTC's approach to addressing VMT growth in the draft EIR is explained in previous responses (see 6-A and 6-C). This comment also asserts that the "cumulative impacts of growth need to be compared to current conditions, be found to be significant, and be found to require mitigation to the fullest extent possible."

CEQA Guidelines section 15126.6, subdivision (e)(1), states that the no project alternative analysis is not the baseline for determining whether the proposed project's environmental impacts may be significant, unless it is identical to the existing environmental setting analysis which does establish that baseline. The "no project" alternative shall discuss the existing conditions at the time the environmental analysis is commenced, as well as what would be reasonably expected in the future.

In the instant case, the Draft EIR appropriately determined the significance of the Transportation 2030 Plan's impacts by comparing them to both the existing physical environment and to the "No Project Alternative," which includes the existing conditions at the time the environmental analysis is commenced, as well as what would be reasonably expected in the future. (See, e.g., Draft EIR, p. 3.1-3; see also CEQA Guidelines, §§ 15125; 15126.6, subd. (e)(1); please also refer to the response to comment 21-C.) It should be noted that although specific projects in the Transportation 2030 Plan may result in site specific project level impacts (such as impacts to biological resources), the Plan does not cause adverse transportation or air quality impacts; it has been formulated to reduce the rate of growth of traffic congestion and VMT and the associated air quality impacts over time. Therefore, the relevant inquiry is the degree to which the proposed plan would in fact lessen or avoid otherwise anticipated impacts – thus, the Draft Ear's comparison to the "no project" alternative scenario, including "committed projects" that will occur with or without the RTP, is necessary and appropriate.

21-E MTC provided TRANSDEF with sketch planning-level analysis of the approximate costs of the TRANSDEF Smart Growth alternative and does not dispute the fact that the

TRANSDEF Smart Growth Alternative costs less than the proposed project; MTC is concerned with the feasibility of "exchanging" certain types of funds to the extent assumed in this alternative and believes that additional and more-detailed financial analysis would be needed to determine the financial and feasibility of these fund swaps and, ultimately, the extent of financial constraint of the TRANSDEF Smart Growth alternative.

21-F The TRANSDEF Smart Growth alternative excludes a significant number of projects and programs which have been approved by Bay Area voters through ballot measures from its transportation network. These projects were excluded for the purpose of shifting funding to pay for other new transit and roadway projects developed by TRANSDEF; some of these funding re-allocations would require voter approval or rejection of voter mandates. Thus, the comments submitted by the county Congestion Management Agencies (CMAs) regarding the exclusion of local, voter-approved projects are appropriate issues to consider when determining the feasibility of the TRANSDEF Smart Growth alternative.

Further, the exclusion of these projects and programs would indeed be in conflict with countywide transportation plans as noted by the CMAs. Specifically, the state regional transportation plan guidelines state that the Transportation 2030 Plan should "identify and incorporate other State and local transportation plans and programs." Moreover, "all major transportation projects and minor projects should be understood to be part of the statewide transportation system," and "these interrelationships and regional linkages should be acknowledge and reflected as appropriate." (See the Action Element of *Regional Transportation Plan Guidelines* (December 1999).)

The CMA comments also concern the feasibility of the TRANSDEF land use assumptions. While both ABAG Projections 2003 and TRANSDEF's land use scenario assume changes to local general plans through incentives or other approaches, the TRANSDEF alternative land use assumptions clearly involve more dramatic changes for some areas as shown in Appendix D.2. Again, this is an appropriate issue to consider when determining the feasibility of the TRANSDEF Smart Growth Alternative.

21-G The increases or decreases in the number of people using a particular mode of travel is not the sole criteria for success of an alternative, hence the Draft EIR includes other user-oriented measures of transportation system performance, travel time being among the most important (system reliability, overall convenience, ride quality, and personal safety are some other measures of importance to travelers, but are not easily addressed in travel forecast models). Because any set of future transportation improvements is relatively small compared to the existing "built" system, it is to be expected that some of the performance results will similarly reflect small changes. These small changes, such as in the travel time measure, are still important, particularly with respect to the relative ranking between alternatives, where it is noted that the TRANSDEF has the highest average trip time among all the alternatives. Also, these small differences accumulate over large numbers of trips in the region. So, a 0.7 minute difference in work trips multiplied by over 7 million daily work trips adds up to over 88,000 additional hours of extra travel in the region a day. This calculation also applies to TRANSDEF's higher average delay per vehicle trip, multiplied by over 22 million daily vehicle trips. While the TRANSDEF Smart Growth Alternative does

perform better in the Accessibility to Jobs measure, because of the travel time and vehicle delay results, it is not possible to rate the TRANSDEF alternative as "Much more Favorable" in Table 3.1-23. In terms of statistical significance of modeled differences in travel time, the computation of formal estimates of standard errors in the model for mean travel time is not technically possible, because the travel forecasts represent an equilibrated set of forecasts. However, it is MTC's professional judgment that the standard errors for mean travel time are on the order of 0.10 minutes.

21-H *Community Disruption.* In Draft EIR Section 2.3, Criterion 3 describes the basis for analysis of the Proposed Project on characteristics and qualities of an existing community or neighborhood (community disruption) and Criterion 4 addresses the impacts of the Proposed Project on adopted local General and other land use plans; the alternatives analysis of land use impacts builds on the significance criteria used for assessing the project's impacts and applies them to all of the alternatives. Cumulative impacts are addressed in a separate section. Ignoring the sum of project impacts would keep valuable information from decision-makers, so no change in the Draft EIR is proposed. Moreover, the increased density associated with the land use assumptions of the TRANSDEF alternative is not limited to "failed malls and strip centers" as the commenter asserts. In South San Francisco, for example, substantial residential is proposed east of Highway 101 where the City of South Francisco has a burgeoning high tech and business park development. Table 3.1-14 also documents where the increase in housing under the TRANSDEF Smart growth Alternative calls for more development than local General Plan Housing Elements could accommodate on vacant and underutilized sites, and these sites include underutilized commercial land.

The commenter notes that the TRANSDEF Smart Growth alternative would have less open space urbanized and would eliminate large cumulative visual impacts, habitat loss and agricultural land loss. The Draft EIR agrees; in fact Table 3.1-23 states that the TRANSDEF Smart Growth Alternative would be much more favorable or favorable relative to the proposed project for the impact areas of biological resources, water resources and visual resources; and Table 3.1-12 shows that substantially less farmland would be potentially affected by the TRANSDEF Smart Growth relative to the proposed project.

21-I The commenter is correct that the 2030 TRANSDEF Smart Growth alternative has the lowest overall number of lane miles with a 3 dBA increase in noise levels when compared with 2000 conditions. However, the 2030 Financially Constrained + HOT Alternative is the only alternative that has both a lower increase in roadway miles exposed to noise levels at or above 66 dBA and fewer modeled roadways that would experience a 3 dBA or more increase in noise as compared to 2000 conditions. The significance criteria used to analyze roadway noise impacts in Draft EIR Chapter 2.5 give equal weight to these criteria. Further, Draft EIR page 3.1-41 also acknowledges that while the 2030 TRANSDEF Smart Growth alternative is the only alternative that would have fewer overall daily vehicle trips than the Proposed Project, the increase in transit use associated with the TRANSDEF Smart Growth alternative would cause higher long-term noise impacts than the Proposed Project along major transit corridors. For these reasons, the more favorable ranking of the 2030

Financially Constrained + HOT alternative above the 2030 TRANSDEF Smart Growth alternative in Table 3.2-23 on Draft EIR page 3.1-37 remains valid.

21-J As described on page 3.1-34, the total number of projects associated with each alternative that are susceptible to seismic hazards does not clearly indicate the seismically superior alternative. For example, widening surface streets in areas prone to liquefaction will have a negligible impact on seismic safety, as potential damages would be limited to pavement cracking. However, the reconstruction of existing interchanges, overpasses, and bridges with structures designed and constructed to meet existing building codes would reduce potential seismic hazards. The Proposed Project includes numerous projects associated with replacement or reconstruction of these elevated structures that are not included in the TRANSDEF Smart Growth alternative. Examples of these projects include:

Eastshore-South	22100: Replace I-880 David Street overcrossing
	22101: Replace I-880/Marina Boulevard overcrossing
Eastshore-North	22661: Adeline Street bridge reconstruction

In addition, the Proposed Project included several seismic-safety related projects that were not included in the TRANSDEF Smart Growth alternative, such as:

Eastshore-South	22766: Fruitvale Avenue Rail Bridge seismic retrofit
Region-wide	22678: BART earthquake safety program
Marin Countywide	22752: Seismic retrofit and upgrade (rehabilitation) of local bridges and overpasses shortfall
Golden Gate	98147: Widen 101 (Includes seismic upgrade of Petaluma Bridge)
San Francisco	22464: Local bridge seismic work

The combination of these two factors resulted in the TRANSDEF Smart Growth alternative being considered less beneficial for seismic safety than the Proposed Project.

As noted on Table 3.1-23, the Financially Constrained alternative was determined to be superior compared to the Proposed Project for the overall issue area of Geology and Seismicity. The differences between Table 3.1-23 and the superior alternative discussion on page 3.1-30 is a result of combining the consideration of potential impacts on soil resources and seismic hazards. Although the Financially Constrained alternative is slightly inferior compared to the Proposed Project for seismic safety, the large reduction in number of construction projects for the Financially Constrained alternative and associated reduction in impacts on soil resources render it the overall superior alternative. Although the No Project and TRANSDEF Smart Growth alternative are superior in relation to the Proposed Project in association with potential impacts on soil resources, as these include far fewer

construction projects, these Alternatives are inferior for seismic safety and do not include a large number of seismic-related projects (i.e. projects that would improve seismic safety). As potential soil resource impacts are generally short-term and can generally be effectively mitigated during construction, these potential impacts were given less weight then the seismic hazard attributes associated with these alternatives in Table 3.1-23.

21-K *Growth Inducing Effects.* The analysis of differences between the TRANSDEF Smart Growth alternative and ABAG *Projections 2003* used superdistrict data provided by MTC to calculate the ratios of jobs/employed residents. The objective was not to examine differences in accessibility to jobs but rather to look at jobs/housing balance at a subregional scale and consider whether these differences may have implications in terms of local growth-inducing effects. The statement made in the Draft EIR is that local jobs/housing imbalances could have some growth inducing impacts as jurisdictions seek more non-residential development to achieve parity (page 3.1-24). The objective in this section is to disclose this information, not mask it.

However, the commenter's points about the superior job accessibility of the TRANSDEF Smart Growth alternative and the potential to deter growth outside the region are valid; additional text is proposed to be added at the end of the discussion of growth-inducing effects, at the bottom of page 3.1-34; see Section 2 of this Final EIR for new text.

21-L It is correct that the MTC travel demand model is not currently equipped to estimate inter-regional transit trips or the impact of high speed rail on reducing vehicle trips over the Altamont Pass, as proposed in the TRANSDEF Smart Growth alternative; thus, inter-regional vehicle trips in this corridor may be higher than would be expected with a HSR system in place. The parking cash out concept is difficult to analyze with models that were designed to analyze certain types of cost impacts on travel behavior, but not others. The model attempts to replicate a parking cash out policy with a $5 parking charge on daily work trips, but this steep increase in parking costs may overstate potential benefits of a cash out policy. Further it does add to the cost of driving, whereas parking cash out would be neutral in cost if people continue to drive and employers continue to pay for their parking. MTC has traditionally not assumed increases in bridge tolls because such increases require legislative action/voter approval and do not meet MTC's criteria for "reasonably available" future revenues. This issue has been raised in prior Plans and MTC has consistently used the same assumptions from Plan to Plan. In response to the commenter's statement about rising gas prices, there are certainly many opinions about what the real cost of gas will be in 25 years, and as consumers know, gas prices can fluctuate dramatically over very short periods due to external factors. MTC employs recognized governmental sources (California Energy Commission and US Department of Energy Information Administration) to determine future gas prices at the time the Plan and air quality conformity analysis is undertaken. If MTC were to use higher gas prices, the assumption would be applied evenly across the board for all Draft EIR alternatives, and it is not likely there would be any changes with respect to the comparative ranking of alternatives for any of the transportation significance criteria.

21-M The reasons for this result are not immediately evident, and MTC will need to perform further investigation into the analyses to provide a cogent response.

21-N Federal planning regulations require a 20-year horizon for long-range transportation plans. Planning forecasts that are beyond 20-year horizons are possible but increasingly unreliable due to measurement error (what is the population, employment, labor force levels) and much higher degree of uncertainty (vehicle and communications technology, energy prices, etc.). Any such long-range analyses would be conducted outside the CEQA process due to these types of issues and forecasting limitations.

21-O *ABAG Projections 2003.* In the *Projections 2003* Technical Appendix, ABAG explains the relation between the Smart Growth Vision and Projections 2003. On page 9 of this Appendix, the use of updated data is discussed, and two statements are made "The scope and timing of the Vision did not allow for examination of new forecasts… As a result, the numeric goals articulated in the Smart Growth Vision have been translated by adjusting both the baseline 2000 data, and the economic trends in the base-case forecast." This latter statement supports the observation in the Draft EIR that ABAG's Projections 2003 build on and are derived from the regional smart growth planning project. The Draft EIR did not intend to imply that the projections exactly represent the outcome. The text of the Draft EIR on page 3.1-4 is revised to clarify this distinction; see Section 2 of this Final EIR for details.

21-P The entire EIR is not being re-issued with this Final EIR, but TRANSDEF is added as a reference in Section 2 of this Final EIR.

21-Q Recommended correction is hereby incorporated into page 3.1-4 of the EIR. See Section 2 of this Final EIR for details.

21-R All dollars shown in the Transportation 2030 Plan reflect 2004 dollars.

21-S Recommended addition is hereby incorporated into page 3.1-11 of the EIR. See Section 2 of this Final EIR for details.

21-T Recommended correction is hereby incorporated into page D-1 of the EIR. See Section 2 of this Final EIR for details.

21-U Recommended addition is hereby incorporated into page D-1 of the EIR. See Section 2 of this Final EIR for details.

21-V Recommended correction is hereby incorporated into page D-1 of the EIR. See Section 2 of this Final EIR for details.

21-W Recommended addition is hereby incorporated into page D-2 of the EIR. See Section 2 of this Final EIR for details.

21-X Recommended addition is hereby incorporated into page D-3 of the EIR. See Section 2 of this Final EIR for details.

21-Y Recommended addition is hereby incorporated into page D-4 of the EIR. See Section 2 of this Final EIR for details.

21-Z Recommended addition is hereby incorporated into page D-5 of the EIR. See Section 2 of this Final EIR for details.

21-AA Recommended correction is hereby incorporated into page D-6 of the EIR. See Section 2 of this Final EIR for details.

21-BB Recommended addition is hereby incorporated into page D-6 of the EIR. See Section 2 of this Final EIR for details.

21-CC The Regional Measure 2 Toll Bridge Program projects identified in the Bay Area Region/Multi-County – Project # 22241, 22242, 22243, 22244, and 22245—were not available at the time TRANSDEF selected projects for inclusion or exclusion from its transportation network. However, since these projects would not have been coded for modeling purposes, they pose no impacts on the EIR analysis for the Proposed Project and all EIR alternatives, including the TRANSDEF Smart Growth alternative.

21-DD The commentor makes a good suggestion to limit the data levels to three and to carefully choose colors that intuitively connote increases and decreases in density. However, the Draft EIR and the referenced maps are not being re-issued with this Final EIR. These suggestions will be taken into consideration in the future.

21-EE The recommended addition is hereby incorporated into Figure D.2-3 of the EIR. See Section 2 of this Final EIR for details.

21-FF Although the TRANSDEF Smart Growth alternative produced better results in some issue areas, it did not produce better results "across the board" as claimed in the comment. The comparison of alternatives identifies the advantages and disadvantages of this alternative. One of the primary reasons that the TRANSDEF Smart Growth alternative performed better in some areas is that it was based on a set of substantially different land use assumptions. Several agencies have commented on these assumptions and on the overall infeasibility of the alternative. For example, by assuming a dramatically larger population in the urban core of San Francisco (substantially beyond the City's Housing Element projections), some transportation impacts were minimized. See Table 3.1-14 in the Draft EIR for a summary of differences in land use assumptions. MTC acknowledges TRANSDEF's desires to incorporate elements of the alternative into the Final Transportation 2030 Plan. Decision makers will consider all comments in their deliberations on the Plan.

LETTER 22: BESTPHONES, JANUARY 7, 2005

22-A Please refer to response to comment 20-A, 20-B, and 20-C.

22-B Please refer to response to comment 20-A, 20-B, and 20-C.

22-C This program EIR was prepared in compliance with CEQA, and CEQA does not require an economic analysis of environmental effects of the proposed project. The CEQA Guidelines Section 15131(a) clearly states that the "economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes."

LETTER 23: TRANSPORTATION LAND USE COALITION (TALC), JANUARY 4, 2005

23-A Comment noted. The analysis of the TRANSDEF Smart Growth alternative provides valuable insight into various policy areas that are under active discussion in the transportation and land use arena.

LETTER 24: REGIONAL ALLIANCE FOR TRANSIT, JANUARY 5, 2005

24-A The Draft EIR includes daily transit ridership projections for each alternative considering all bus and rail systems working together. This information is contained in Table 3.1-4. While transit ridership for different sub modes (e.g., rail, bus, ferry) is available from modeling results of the various alternatives, the Draft EIR presents information at a regional scale for transit; and therefore it is not included in the program EIR. MTC will be providing some of this information in a separate response to TRANSDEF as required by the Settlement Agreement.

24-B The Draft EIR explains the criteria used for evaluation of the transportation impacts of transit and highway projects. MTC does not apply different weights to travel time savings for highway or transit users. When considering the benefits of the proposed project in comparison to other alternatives involving new transit and highway investments, the Commission takes into account a wide range of information such as that examined in the Draft EIR and input from the public. The analysis of specific locations for highway delays and comparisons of these locations can be extracted from the travel modeling data, but this level of investigation is beyond the regional scope of the program EIR.

24-C Please refer to response to comment 22-C. CEQA clearly states that the focus of the EIR analysis shall be on the physical changes. Thus, the health benefits of residents of each of the EIR alternatives are not quantified in the EIR. However, the air quality chapter analyzes pollutants for which federal and state health based standards have been set, and it can generally be assumed that alternatives that have lower automobile emissions will have correspondingly higher health benefits for Bay Area residents.

24-D See response to comment 24-A.

24-E MTC's enabling statutes require the Commission to consider plans adopted and prepared by other regional agencies such as the Association of Bay Area Governments (California Government Code section 66509(c)). The EPA's transportation conformity regulations (42 U.S.C. 7401-7671q) require that conformity of plans employ the latest planning assumptions, including estimates of current and future population and employment developed *by the agency authorized to make such estimates.*

24-F MTC has no statutory authority to regulate land use under the California Government Code section 65000 et seq, which established the Commission and defined its responsibilities, powers and duties. Under Resolution 3434, available on MTC's website, the Commission has identified land use as one of the performance criteria to be used in evaluating regional transit expansion proposals, and in the Transportation/Land Use Platform, including as an Appendix to Transportation 2030, the Commission identifies strategies to be pursued with local governments and other partners, which also include land use coordination. Nowhere in these planning documents is MTC asserting any land use powers. In Appendix D.1, TRANSDEF explains that "there are no regulatory mechanisms in place to require local jurisdictions to make such changes," in referring to the land use changes. TRANSDEF then explains that it believes MTC's role in accomplishing these land use changes could be effected by withholding certain state and federal discretionary funds or through various incentives. MTC has no other information available about the powers referred to by the CCTA staff memorandum.

24-G As described on p. 3.1-5 and Appendix D-1 of the Draft EIR, the pricing assumptions for the TRANSDEF Smart Growth alternative includes a $2.00 per day parking charge at several high-demand BART stations (to be implemented by BART), a $5.00 per day parking charge at all employment sites (this modeling assumption is used as a surrogate for an employer provided parking-cash out program and was agreed to by TRANSDEF), and a 20 percent reduction in transit fares (this fare reduction is used as a surrogate for the Ecopass system). MTC does not have authority to impose parking charges at BART stations nor employment sites around the region. Employers may be required to fund parking cash out programs for their employees in certain situations where they lease parking, but this state law does not involve MTC. A separate analysis of the impacts of a parking cash out program in the Bay Area on overall quality of life is outside the scope of this EIR.

24-H Yes, the TRANSDEF Smart Growth alternative would require different amendments because of the proposed changes in the scope and intensity of development at infill sites. These changes cannot be specified precisely because the TRANSDEF Smart Growth alternative is only defined in text and tabular form (See Appendix D.1), with development projections by traffic analysis zone (TAZ). No land use planning map was submitted to MTC as part of this alternative so it would be speculative to say what specific General Plan amendments would be required. Table 3.1-14 does compare the residential units needed under the TRANSDEF alternative with the planned residential development potential in General Plans for San Francisco, San Jose, Walnut Creek, Lafayette and Orinda; the shortfall or "unplanned growth" does provide one indication of the potential number and scope of amendments that would be needed in these cities to accommodate the TRANSDEF alternative.

The Transportation/Land Use Platform, presented in Appendix Two of the Transportation 2030 Plan includes as implementation strategy #3 a provision to "encourage cities and counties to incorporate General Plan policies that support transit-oriented development around Resolution 3434 stations." This is not a requirement of the Transportation Plan itself. MTC does intend to develop and adopt criteria to define what supportive land use is. However, no decisions have been made by the Commission on what thresholds to use to evaluate local plans and whether planned population densities and, possibly, employment intensities will be used, so it is premature to conclude anything about the degree to which local plans must be changed and what the resulting growth impacts would be. Without such guidance, it is impossible to know what potential General Plan amendments may be and how these may differ from amendments under the TRANSDEF alternative.

24-I TRANSDEF supplied the bus routes to be considered under the TRANSDEF Smart Growth alternative, providing modeling inputs pertaining to service type, span of service, headway, timepoints, and fares for each bus route. As identified by TRANSDEF, MTC coded the Alameda County bus routes referenced in the comment as follows: (1) the service type for the "Cal State Hayward Rapid Operations" is Bus Rapid with Transit Preferential Streets (TPS) treatments and exclusive right-of-way on CSHU campus; (2) the service type for the "Pleasanton Rapid Operations" is Bus Rapid with TPS treatments and Bus Rapid Transit operation between Stanley and Dublin Boulevards; (3) the service type for the "Oakland Airport BRT" is Bus Rapid Transit operation with exclusive lanes; and (4) the service type for the Livermore rapid operations was Bus Rapid with TPS treatments.

It is MTC's understanding that rapid bus transit features short headways, far side stops one-half to two-thirds of a mile apart, and traffic signal coordination, transit signal priority and queue jump lanes, while bus rapid transit (BRT) includes a lane on an urban arterial or city street that is reserved for the exclusive or near-exclusive use of buses and bus signal preference and preemption at intersections.

MTC did not require "identification of specific operating funds for these (or any new) services." However, we did provide sketch-planning estimates of the transit capital and operating costs, and as noted on p. 3.1-5 of the Draft EIR, we state that the ability to fund the operation and rehabilitation of the expanded transit network in this alternative has not been fully analyzed from a detailed financial perspective.

24-J Researching the scope of land use controls in the Bay Area over the past 20 years is beyond the scope of this EIR. However, it is reasonable to assume that there will be infill and densification in the Bay Area over the next 25 years, as assumed in *Projections 2003*. Because the EIR already addresses this point on page 2.3-3 and in the additional information on the TRANSDEF alternative in Appendices D.1 and D.2, no additions to the EIR are required in response to this comment.

24-K The Draft EIR is not intended to provide a detailed transportation analysis for individual corridors, or the level of transit information required for a detailed federal alternatives analysis, which is conducted to obtain access to federal transit funding. Thus, transit mode shares have not been developed below the regional level. Existing corridor and

environmental studies on the projects mentioned may provide some of the information requested. The daily High Speed Rail ridership from the TRANSDEF Smart Growth alternative was 73,000 daily riders, assuming a somewhat low fare. The comment seeks judgments from MTC about the merits of individual projects which are beyond the scope of the Draft EIR.

LETTER 25: LEAGUE OF WOMEN VOTERS OF THE BAY AREA, JANUARY 4, 2005

25-A Comment noted. As explained in many other responses above, the MTC is limited in its ability to enforce desired land use trends. However, the proposed Transportation 2030 Plan includes provisions to support and encourage transit oriented and other "smart growth" development.

LETTER 26: URBAN HABITAT, JANUARY 7, 2004

26-A Comment noted. As explained on p. 68 of the Draft Transportation 2030 Plan, MTC proposes that the Bay Area consider introducing a system of High Occupancy Toll lanes, as a user-based fee to finance expansion of the HOV lane system, and to better address supply and demand imbalances. Additionally, in response to public input to fund lifeline activities and bicycle and pedestrian facilities, MTC has committed $216 million in new funding towards the Lifeline Program and $200 million in new funding towards the Regional Bicycle and Pedestrian Program.

LETTER 27: DECEMBER 10, 2004 PUBLIC HEARING COMMENTS

27-A Comment noted. This comment pertains to a separate equity analysis prepared by MTC (please refer to MTC's *Equity Analysis Report* (November 2004)). This EIR does not evaluate the environmental benefits of the Transportation 2030 Plan on low-income and communities of color because this analysis is not required by CEQA.

27-B Comment noted.

27-C Please refer to response to comment 20-A, 20-B, and 20-C.

27-D Please refer to response to comment 20-A, 20-B, and 20-C.

27-E This comment is addressed through revisions as shown in Section 2 of this document that clarify (1) the TRANSDEF Smart Growth alternative did not assume lower vehicle ownership, but that MTC's travel demand forecast model projects lower vehicle ownership; and (2) MTC used increased parking costs as a surrogate for parking cash out, and this is an artifact of the modeling as opposed to a direct increase in cost to the drivers.

Please also refer to response to comment 20-A, 20-B, and 20-C.

27-F Comment noted.

LETTER 28: DECEMBER 15, 2004 PUBLIC HEARING COMMENTS

28-A Comment noted.

28-B Comment noted.

28-C This comment concerns the substance of the Transportation 2030 Plan itself, not the Draft EIR which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

28-D This comment concerns the substance of the Transportation 2030 Plan itself, not the Draft EIR which provides environmental review of that plan. This comment does not raise environmental issues under CEQA

28-E This comment concerns the substance of the Transportation 2030 Plan itself, not the Draft EIR which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

28-F Please refer to response 20-C.

LETTER 29: JERRY CAUTHEN, JANUARY 16, 2005

29-A Comment noted.

LETTER 30: ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS, JANUARY 13, 2005

30-A Comment noted.

LETTER 31: MTC'S MINORITY CITIZENS ADVISORY COMMITTEE, DECEMBER 10, 2004

31-A Comment noted.

Appendix A:

Findings, Facts in Support of Findings

Appendix A: Findings, Facts in Support of Findings

INTRODUCTION

ROLE OF THE FINDINGS

The following findings are hereby adopted by the Metropolitan Transportation Commission (MTC) pursuant to the requirements of the California Environmental Quality Act, California Public Resources Sections 21000 et seq., ("CEQA"), and the Guidelines for Implementation of CEQA, Title 14, California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines").

These Findings and Facts in Support of Findings relate to the approval of the Transportation 2030 Plan for the San Francisco Bay Area. The Metropolitan Transportation Commission (MTC) is the Lead Agency for the project pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.).

The Findings state MTC's conclusions regarding the significance of the potential environmental impacts of the Transportation 2030 Plan after all feasible mitigation measures have been adopted. These findings have been prepared to comply with the requirements of CEQA and the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) and are based on information in the Draft and Final Environmental Impact Report (EIR) for the project and on all other relevant information contained in the administrative record for the Project.

CEQA requires agencies to identify mitigation measures that would avoid or substantially lessen a project's significant impacts or potential significant impacts if such measures are feasible. The mitigation measures identified in the Final EIR mitigate the potential significant impacts of the Plan, as described in the Final EIR. All mitigation measures identified in the Final EIR (as listed in Table ES-1 of the Draft EIR) are hereby adopted by the MTC.

Almost all of the identified mitigation measures are project-level measures, applicable to individual projects envisioned under the Transportation 2030 Plan. Since these individual projects have not been fully designed and analyzed yet, subsequent CEQA analysis will be required for each of them. The MTC will ensure implementation of these measures by coordinating with project sponsors on compliance with the measures. Monitoring of these mitigation measures will occur, as described in the Mitigation Monitoring Program (Appendix C).

By adopting the mitigation measures listed in the EIR and establishing a Mitigation Monitoring Program to ensure implementation of these mitigation measures, MTC will ensure that all significant impacts are avoided or reduced to the maximum extent feasible. Specific development projects that have a potential significant impact will be subject to separate CEQA review, including consideration of project-specific mitigation measures. Project sponsors will be required to prepare and adopt individual mitigation monitoring programs to comply with these measures.

The Statement of Overriding Considerations, included in Appendix B of this document, explains MTC's reasons for approving the Transportation 2030 Plan, despite the fact that the Transportation 2030 Plan will have significant impacts on the environment.

STATE LAW

The EIR identifies significant effects on the environment, which may occur as a result of the projects in the Transportation 2030 Plan. The CEQA State Guidelines provide as follows:

(a) No public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The findings are:

1) Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the EIR.

This finding shall be referred to as "Finding (1)."

2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

This finding shall be referred to as "Finding (2)."

3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers make infeasible the mitigation measures or project alternatives identified in Final EIR.

This finding shall be referred to as "Finding (3)."

The Facts in Support of Findings in the following sections state MTC's reasons for making each finding. They also set forth a summary of the evidence that supports these conclusions. All records and materials constituting the record of the proceedings, upon which these findings are made, are located at the offices of the Metropolitan Transportation Commission, 101 Eighth Street, Oakland, California, 94607.

SCOPE OF THE ENVIRONMENTAL ANALYSIS

This program EIR analyzes the potential significant adverse effects of the adoption and implementation of the Transportation 2030 Plan. This assessment, in compliance with CEQA, is designed to inform decision-makers, other responsible agencies and the general public of the environmental consequences of the proposed project. CEQA provides that a program EIR should focus on the secondary effects that can be expected to follow its adoption, but need not be as detailed as an EIR on the specific construction projects that might follow. In accordance with CEQA, the Transportation 2030 Plan EIR identifies regional effects of the implementation of projects, which could follow adoption of the Transportation 2030 Plan. The Transportation 2030 Plan represents MTC's transportation policy and action statement as to

how to approach the region's transportation needs over the next 25 years. The Transportation 2030 Plan's assessment of future travel activity and use of the transportation system are based on the most recent land use assumptions and growth projections of the Association of Bay Area Governments (ABAG) that were available at the time of the EIR preparation (*Projections 2003*).

ORGANIZATION OF THIS APPENDIX

Section 2 of this Appendix identifies the significant environmental effects of the transportation improvements in the Transportation 2030 Plan that cannot feasibly be mitigated to below a level of significance. Section 3 of this Appendix identifies potential environmental effects of the Transportation 2030 Plan that can feasibly be mitigated to below a level of significance. Section 4 of this Appendix summarizes the alternatives discussed in the EIR and makes findings with respect to their feasibility and whether the alternatives would lessen the significant environmental effects of the project. Section 5 of this Appendix makes a finding on the independent review and analysis of this EIR.

FINDINGS REGARDING SIGNIFICANT EFFECTS WHICH CANNOT FEASIBLY BE MITIGATED TO BELOW A LEVEL OF SIGNIFICANCE

The following subsections discuss individual resource significance criteria, each significant environmental impact, the mitigation measure identified for each impact, and how the impact will be reduced or avoided by adoption of the mitigation measures. Potential significant unavoidable impacts are identified in the areas of air quality, land use, energy, noise, geology, biological resources, and visual resources.

The (MTC) has determined that the adoption of feasible mitigation measures, alternatives, and proposals incorporated into the Transportation 2030 Plan will reduce the following impacts, but not to a level that is deemed "not significant." The Statement of Overriding Considerations set forth in Appendix B of this document contains additional information explaining the reasons for MTC's decision to approve the project despite potentially significant environmental effects, and is hereby incorporated by reference.

AIR QUALITY

There is one potentially significant, unavoidable impact in the issue area of air quality related to cumulative particulate matter (PM) for all alternatives due to projected regional growth.

Significance Criteria:

> **Criterion 1: Motor vehicle emissions are higher for the proposed Transportation 2030 Plan than for the No Project alternative.** Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact if motor vehicle emissions for criteria pollutants ROG, NO_X, PM_{10}, $PM_{2.5}$, and CO are higher for the proposed Project (Transportation 2030 Plan) than for the No Project alternative. For the purposes of addressing cumulative impacts in CEQA, it is considered a significant cumulative impact if future mobile source emissions are higher than existing and the increase in emissions is primarily related to travel demand increases due to regional growth (Draft EIR, p. 2.2-17).

Impact:

2.2-3 PM_{10} and $PM_{2.5}$ emissions are projected to increase substantially over existing conditions (2000) due to projected cumulative regional growth and the attendant increase in travel. (Draft EIR, p. 2.2-20)

This impact is related to cumulative effects of vehicle miles traveled (VMT) associated with inevitable population and job growth in the region. This impact would be significant for all alternatives. The Transportation 2030 Plan would result in fewer VMT than all alternatives except the TRANSDEF Smart Growth alternative.

Mitigation Measures:

2.2(a) If attainment plans are required for PM_{10} and $PM_{2.5}$ in the future, the BAAQMD, MTC, and ABAG (co-lead agencies for air quality planning) will identify the magnitude of reduction required from motor vehicles as well as appropriate control measures to address PM from on road dust and other sources.

Since attainment plans for the future are currently not required and have not been developed, the extent of the reduction potential is not presently known; therefore, it is not possible to determine whether the impact is partially or fully mitigable. (Draft EIR, p. 2.2-20)

Findings: MTC hereby makes finding (2).

Facts in Support of Findings:

(a) Although this mitigation measure will reduce the identified impact, the implementation of the mitigation measure relies on the future unidentified efforts of other agencies. Because reduction of the identified impact is not within the Commission's control and the specific technologies and control measures have not been identified, the Commission finds that this cumulative impact might not be mitigated to below a level of significance.

LAND USE, HOUSING, AND SOCIAL ENVIRONMENT

There are three potentially significant impacts associated with land use, including one impact on farmland.

Significance Criteria:

Criterion 1: Converts farmland to transportation use. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact when transportation projects convert substantial amounts of important agricultural lands and open space for the development of transportation facilities. Such conversion from natural resource use would be significant whether or not the proposed facility is consistent with local or regional plans.

Criterion 2: Causes residential, business, or urban open space land use disruption or displacement. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact if new construction and/or right-of-way acquisition associated with the transportation projects result in residential or business disruption or displacement.

Criterion 3: Causes permanent community disruption. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact if transportation projects result in permanent alterations to the characteristics and qualities of an existing neighborhood or community by separating residences from community facilities and services, restricting access to commercial or residential areas, or eliminating community amenities.

Criterion 4: Conflicts with local plans. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact if transportation projects substantially conflict with the land use portion of adopted local general plans or other applicable land use plans. Also, a potentially significant impact would be identified if transportation projects would substantially influence future land use patterns and development, contrary to adopted plans. (Draft EIR, p. 2.3-20 – 2.3-21)

Impact:

2.3-1 Implementation of the proposed Transportation 2030 Plan could convert farmland, including prime agricultural land designated by the State of California, to transportation use. (Draft EIR, p. 2.3-23 – 30)

Mitigation Measures:

2.3(a) Project sponsors shall commit to mitigation measures at the time of certification of their project environmental document that would minimize or eliminate conversion of farmland. Typical mitigation measures that could be considered by project sponsors include:

- Corridor realignment, where feasible, to avoid farmland, especially prime agricultural land;
- Buffer zones and setbacks to protect the function of farmland; and
- Berms and fencing to reduce conflicts between transportation and farming uses.

The extent of this impact will depend on the final design of each transportation improvement and on the project-specific analysis require by CEQA to determine the importance of the farmland to be converted. Suggested mitigation measures at the project-specific level include:

- Conservation easements on land at least equal in quality and size as partial compensation for the direct loss of agricultural land;

- If a Williamson Act is terminated, the Department of Conservation recommends a ratio greater than 1:1 of land equal in quality be set aside in a conservation easement;

- Protection of farmland in the project area or elsewhere in the County through the use of less than permanent long-term restrictions on use, such as 20-year Farmland Security Zone contracts (Government Code §51296 et seq.) or 10-year Williamson Act contracts (Government Code §51200 et seq.)

- Mitigation fees that support the commercial viability of the remaining agricultural land in the project area, County, or region through a mitigation bank that invests in agricultural infrastructure, water supplies, marketing, etc; and

- Other conservation tools available from the California Department of Conservation's Division of Land Resource Protection.

(Draft EIR, p. 2.3-26)

Findings: MTC hereby makes finding (2).

Facts in Support of Findings:

(a) The potential conversion of farmland is a conservative estimate. The EIR land use analysis took a "worst case" approach (Draft EIR, page 2.3-27), meaning that it assumed that farmland would be converted to transportation uses within a substantial swath along proposed transportation projects. In doing so, the severity of the potential impacts may be overstated. Due to the programmatic level of analysis in the EIR and lack of project-specific plans, it is not possible to define the exact extent of potential impact, so it is not possible to ascertain with certainty whether the identified mitigation measures for these impacts will reduce impacts to levels considered "not significant." However, it is likely that, with proper design and planning, many of the identified impacts can be avoided or minimized.

(b) The implementation of these mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects prior to project approval by MTC. Because reduction of the identified impact is not within the Commission's control, the Commission finds that the impact might not be mitigated to below a level of significance.

(c) Not all impacts may be mitigated to a less than significant level. The conversion of resource lands to transportation uses could remain a significant impact despite the limitations on the extent of conversion provided by the mitigation measures proposed.

(d) Project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. The use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that mitigation measures will be implemented.

Impact:

2.3-2 Implementation of the Proposed Transportation 2030 Plan could disrupt or displace existing land uses, neighborhoods, and communities in the short term. (Draft EIR, p. 2.6-26 – 2.3-28)

Mitigation Measures:

2.3(b) Project sponsors shall commit to site-specific mitigation measures at the time of certification of their project environmental document that would minimize or eliminate short term (often construction-related) disruption or displacement of existing land uses, specifically residential, commercial, or urban open space. Typical mitigation measures that could be considered by project sponsors include:

- Berms and fencing to reduce conflicts between transportation and existing uses;
- Regulate construction operations on existing facilities to minimize traffic disruptions and detours, and to maintain safe traffic operations;
- Ensure construction operations are limited to regular business hours where feasible;
- Control construction dust and noise; and
- Control erosion and sediment transport in stormwater runoff from construction sites.
- Temporary sidewalks and other means of public access must be provided to public open spaces, especially those along the Bay.

The extent of this impact will depend on the final design and the phasing of implementation. (Draft EIR, p. 2.3-28 – 29)

Findings: MTC hereby makes finding (2).

Facts in Support of Findings:

(a) The potential disturbances to land uses are conservative estimates. The EIR land use analysis took a "worst case" approach (Draft EIR, page 2.3-27), meaning that it assumed that land uses within a substantial swath along proposed transportation projects may be impacted. In doing so, the severity of the potential impacts may be overstated. Due to the programmatic level of analysis in the EIR and lack of project-specific plans, it is not possible to define the exact extent of potential impact, so it is not possible to ascertain with certainty whether the identified mitigation measures for these impacts will reduce impacts to levels considered "not significant." However, it is likely that, with proper design and planning, many of the identified impacts can be avoided or minimized.

(b) Although these mitigation measures will reduce the significance of the identified impact, the impact may not be reduced to a less-than-significant level in all cases and the implementation of these mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying

with CEQA and NEPA, if applicable, for individual projects prior to project approval by MTC.

(c) Project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. The use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that mitigation measures will be implemented.

Impact:

2.3-5 Concurrent implementation of the proposed Transportation 2030 Plan and forecast development of residential and employment land uses would result in expansion of urban areas and changes in land use and the character of neighborhoods and districts in the Bay Area. (Draft EIR, p. 2.3-31 – 33)

Mitigation Measures:

2.3(f) MTC shall continue to participate in and promote the efforts of the Regional Agencies Smart Growth Initiative, which is intended to coordinate regional smart growth efforts to use land more efficiently, optimize transportation and other infrastructure investments, preserve open space, etc. In this way, MTC can pursue the enhanced coordination of local land use plans and investments in the proposed Transportation 2030 Plan. (Draft EIR, p. 2.3-33)

Findings: MTC hereby makes findings (1) and (2).

Facts in Support of Findings:

(a) MTC has no land use authority and cannot directly affect the pattern of future land uses. Although the mitigation measure could lead to enhanced coordination of local land use and investments in the Transportation 2030 Plan, the decisions on the amount and location of new development and the implementation of measures to mitigate any adverse impacts rely on the efforts of other agencies, namely local land use agencies. Because reduction of the identified impact is not within the Commission's control, the Commission finds that the impact might not be mitigated to below a level of significance.

(b) Project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. The use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that mitigation measures will be implemented.

ENERGY

One potentially significant impact was identified regarding energy consumption.

Significance Criteria:

Criterion 1: Five percent or greater increase in energy consumption. Implementation of transportation improvements in the proposed Transportation 2030 Plan would

have a potentially significant impact if it results in a 5 percent or greater increase in energy consumption compared to the No Project alternative. (Draft EIR, p. 2.4-7)

Impact:

2.4-1 The implementation of the Proposed Project is likely to substantially increase the consumption of direct and indirect energy types. (Draft EIR, p. 2.4-10 – 11)

Energy consumption is required for both the construction of new transportation improvements and for the operation of the transportation network. Increases in energy consumption are an inevitable impact associated with continued population and employment growth in the region.

Mitigation Measures:

Mitigation of this impact is largely beyond the authority of MTC. The most significant measure would be adoption and implementation of more rigorous Corporate Average Fuel Economy standards for passenger cars and light trucks.

2.4(a) Project implementation agencies shall undertake project specific review of energy impacts as part of project specific environmental review. For any identified impacts, appropriate mitigation measures shall be identified. The project implementation agencies or local jurisdictions shall be responsible for ensuring adherence to the mitigation measures. MTC shall be provided with documentation of compliance with mitigation measures.

2.4(b) Project implementation agencies shall require projects, that are part of the proposed Transportation 2030 Plan, that require construction, to evaluate the energy demand so that suggestions could be made requiring the least energy-intensive methods of construction. To reduce energy expended, the construction contractor could implement the following mitigation measures: (Draft EIR, p. 2.4-11 – 12)

- Minimize the number of transportation trips that take materials to and from construction sites;
- Do not needlessly run construction equipment engines;
- Require that all construction engines be properly tuned;
- Encourage ridesharing by construction personnel traveling to and from construction sites; and
- Plan construction activities to minimize the use of all on-site construction equipment.

Findings: MTC hereby makes finding (2).

Facts in Support of Findings:

(a) Although this mitigation measure will reduce the significance of the identified impact, the implementation of the mitigation measure relies on the efforts of other agencies. Because reduction of the identified impact is not within the Commission's control, the Commission finds that this impact might not be mitigated to below a level of significance.

(b) Even with mitigation, the impact would not be reduced to levels that are less-than-significant because energy use is an inevitable result of population and employment growth.

(c) Project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. The use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that mitigation measures will be implemented.

NOISE

Cumulative noise impacts may be significant, as a result of overall regional growth and increased traffic volumes.

Significance Criteria:

Criterion 1: Construction. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact if the construction of transportation projects results in exposure of persons to or generation of noise levels in excess of standards established in the applicable local general plan or noise ordinance standards.

Criterion 2: Freeways and Other Roadways. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact if it results in noise levels that approach or exceed the FHWA Noise Abatement Criteria or increase substantially above existing levels (a 3 dBA change would be considered noticeable and significant for the purposes of this EIR).

Criterion 3: Rail Transit. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact if it results in noise levels that increase by more than the allowable noise exposure permitted under the Federal Transit Administration (FTA) criteria, as shown in Table 2.5-4, below. (Draft EIR, p. 2.5-13)

Impact:

2.5-3 Forecast population and employment growth that would be served by transportation improvements in the Transportation 2030 Plan will result in increased traffic volumes in individual counties in the Bay Area and could, in turn, increase noise levels along some of the travel corridors in those counties. (Draft EIR, p. 2.5-21)

Mitigation Measures:

Except where future transportation improvements create the need for noise mitigation, increased noise in other parts of the Bay Area would not necessarily be mitigated

unless communities and local transportation authorities: 1) determine that a noise problem exists and that the problem is one of a perceptible nature, and 2) identify local or other transportation funds not currently included in the proposed Transportation 2030 Plan to provide the necessary mitigation.

In many corridors, the projected traffic increases are unlikely to produce perceptible increases in noise since there may not be any sensitive receptors nearby and the increased volumes would not trigger a significant impact. (Draft EIR, p. 2.5-21)

This mitigation measure is not expected to reduce all potentially significant cumulative noise impacts to a less-than-significant level, since there may be locations where a current or future problem exists and there is no funding identified to provide the necessary mitigation.

Findings: MTC hereby makes finding (2).

Facts in Support of Findings:

(a) Although this mitigation measure will reduce the identified impact, the implementation of the mitigation measure relies on the efforts of other agencies, including local transportation authorities. Because reduction of the identified impact is not within the Commission's control and there may be areas where a current or future problem exists and there is inadequate funding to address it, the Commission finds that this cumulative impact might not be mitigated to below a level of significance.

(b) Project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. The use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that mitigation measures will be implemented.

GEOLOGY

One significant impact is identified in the issue area of geological resources, related to seismic risks.

Significance Criteria:

Criterion 1: Expose people or structures to potential damaging geologic forces. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact if transportation projects increase exposure of people or structures to the risk of property loss, injury, or death involving:

– Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault;

– Strong seismic ground shaking;

– Seismic-related ground failure, including liquefaction; and/or

– Landslides.

Criterion 2: Substantial soil erosion or topsoil loss. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact if transportation projects result in substantial soil erosion or topsoil loss.

Criterion 3: Located on expansive soils. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact if transportation projects are located on expansive soils (high shrink-swell potential), as defined in Table 18-1-B of the Uniform Building Code, or on weak, unconsolidated soils creating substantial risks to life or property. (Draft EIR, p. 2.6-13 – 14)

Impact:

2.6-1 Seismic events could damage existing and proposed transportation infrastructure through surface rupture, ground shaking, liquefaction, landslides and tsunamis. (Draft EIR, p. 2.6-16 – 17)

Implementation of the Transportation 2030 Plan represents an improvement or reduction in the risk of seismic damage. This is due to the fact that the Plan includes projects that involve seismic retrofits or replacement of older, more earthquake-hazard prone facilities. However, given the Bay Area location within an active seismic region, there remains the potential for seismic damage. Although most new structures would be constructed to survive a strong earthquake without collapse, it is likely that some segments of roads and transit facilities would be damaged. The damage from a major seismic event could be significant. (Draft EIR, p. 2.6-17 – 18)

Mitigation Measures:

2.6(a) Project implementation agencies shall undertake project specific review of seismic impacts as part of project specific environmental review. For any identified impacts, appropriate mitigation measures shall be identified to minimize or eliminate any significant impacts on water resources. The following mitigation measures shall be included in project-level analysis as appropriate for proposed new transportation improvements. Prior to construction, the project proponent or local jurisdiction shall be responsible for ensuring adherence to the mitigation measures outlined below:

- The seismic design of projects shall consider seismicity of the site, soil response at the site, and dynamic characteristics of the structure, in compliance with the Uniform Building Code and Caltrans standards for construction, or other more stringent standards, as applicable.
- Implementing agencies shall ensure that geotechnical analyses are conducted within construction areas to ascertain soil types and local faulting prior to preparation of project designs.
- For projects location within Alquist-Priolo Earthquake Fault Zones, recommendations for the mitigation and reduction of hazards shall be prepared in

accordance with California Geological Survey Guidelines for Evaluation the Hazard of Earthquake Fault Rupture.[1]

- Implementing agencies shall ensure that projects avoid or stabilize landslide areas and potentially unstable slopes wherever feasible.
- For projects located within liquefaction or earthquake-induced landslide Seismic Hazard Zones, recommendations for the mitigation and reduction of hazards shall be prepared in accordance with California Geological Survey Guidelines for Evaluating and Mitigating Seismic Hazards.[2]
- Consider tsunami inundation risks when designing projects adjacent to the Bay, and/or Pacific Ocean. Precautionary measures such as specifying final roadbed elevations greater than the expected height of a tsunami with a given return frequency would be effective.

Implementation of the above mitigation measures would reduce seismic hazards from new transportation facilities. Although most new structures would be constructed to survive a strong earthquake without collapse, it is likely that some segments of roads and transit facilities would be damaged. The damage from a major seismic event could be significant. (Draft EIR, p. 2.6-17 – 18)

Findings: MTC hereby makes finding (2).

Facts in Support of Findings:

(a) Although these mitigation measures will reduce the identified impact, the implementation of the mitigation measure relies on the efforts of other agencies, namely project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects prior to project approval by MTC. Even with the mitigation measures, there will be a residual seismic risk that cannot be completely eliminated. Because reduction of the identified impact is not within the Commission's control, but rather relies on the actions of the implementing agencies, the Commission finds that the impact might not be mitigated to below a level of significance.

(b) Project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. The use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that mitigation measures will be implemented.

BIOLOGICAL RESOURCES

There are two potentially significant impacts related to biological resources, related to special status species and cumulative loss or fragmentation of habitat areas.

[1] CGS, 2002.
[2] CGS, 1997.

Significance Criteria:

Criterion 1: Natural Vegetation. Areas of natural vegetation, potentially resulting in disruption of wildlife corridors, impediments to native wildlife nurseries, interference of wildlife movement, or threats to designated sensitive plant or animal communities.

Criterion 2: Wetlands and Aquatic Resources. Near or adjacent to wetlands or aquatic resource (i.e., riparian, riverine, coastal, or wetland).

Criterion 3: Special-Status Species. Near or within the designated or known habitat of a special-status plant or animal species.

Criterion 4: Resource Plans. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact if transportation projects conflict with an adopted resource protection and conservation plan, such as a Habitat Conservation Plan, Natural Community Conservation Plan, or other adopted local, regional, or state habitat conservation plan. (Draft EIR, p. 2.8-12)

Impact:

2.8-3 Proposed transportation improvements in the Transportation 2030 Plan could have deleterious impacts on special-status plant and/or wildlife species identified as endangered, candidate, and/or special status by the CDFG or USFWS. (Draft EIR, p. 2.8-16 – 17)

A conservative approach was used to assess biological resource impacts, to ensure that impacts were thoroughly investigated. Unless shown to be absent, special-status species were presumed present in all areas that provide at least moderate quality habitat. For that reason, the impact was identified as potentially significant.

Mitigation Measures:

2.8(c) At the time of project certification, project sponsors shall agree to comply with mitigation measures to protect special-status plant and wildlife species. This requirement obligates project sponsors to implement measures that avoid, minimize, and compensate for significant impacts on special-status species and their habitat. Typical measures that may be included by project sponsors include:

1. In support of CEQA, NEPA, and CDFG and USFWS permitting processes for individual Transportation 2030 Plan transportation projects, biological and wetland surveys shall be conducted as part of the environmental review process to determine the presence and extent of sensitive habitats and/or species in the project vicinity. Surveys shall follow established methods and shall be undertaken at times when the subject species is most likely to be identified. In cases where impacts to state- or federal-listed plant or wildlife species are imminent, formal protocol-level surveys may be required on a species-by-species basis to determine the local distribution of these species. Consultation with the USFWS and/or CDFG shall be conducted at an informal level for transportation projects that could adversely affect federal or State candidate,

threatened, or endangered species to determine the need for further consultation or permitting actions.

2. Project designs shall be reconfigured, whenever possible, to avoid sensitive wetland or biological resources and avoid disturbances to wetland and riparian corridors. Projects shall minimize ground disturbances and construction footprints near sensitive areas to the extent practicable.
3. To the extent practicable, project activities in the vicinity of sensitive resources shall be completed during the period that best avoids disturbance to plant and wildlife species present (e.g., May 15 to October 15 near salmonid habitat and vernal pools).
4. Individual projects shall minimize the use of in-water construction methods in areas that support sensitive fish species, especially when fish are present.
5. In the event that equipment needs to operate in any watercourse with flowing or standing water, a qualified biological resource monitor shall be present at all times to alert construction crews to the possible presence of California red-legged frog, nesting birds, salmonids, or other aquatic species at risk during construction operations.
6. Construction periods shall not occur during the breeding season near riparian habitat, freshwater marshlands, and salt marsh habitats that support special-status nesting bird species (e.g., yellow warbler, tricolored blackbird [Agelaius tricolor], or California clapper rail).
7. A qualified biologist shall locate and fence off sensitive resources before construction activities begin and, where required, shall inspect areas to ensure that barrier fencing, stakes, and setback buffers are maintained during construction.
8. For work sites located adjacent to special-status plant or wildlife populations, a biological resource education program shall be provided for construction crews and contractors (primarily crew and construction foremen) before construction activities begin.
9. Biological monitoring shall be particularly targeted for areas near identified habitat for federal- and state-listed species, and a "no take" approach shall be taken whenever feasible during construction near special-status plant and wildlife species. (Draft EIR, p. 2.8-17 – 18)

Findings: MTC hereby makes finding (2).

Facts in Support of Findings:

(a) The potential disturbances to biological resources are conservative estimates. The EIR analysis took a "worst case" approach (Draft EIR, page 2.8-13), meaning that it assumed that resource land would be converted to transportation within a substantial swath along proposed transportation projects. In doing so, the severity of the potential impacts may be overstated or "inflated." As stated on EIR page 2.8-13, regarding biological impacts, " ...while such impacts may be identified in this EIR, upon project implementation it is anticipated that actual impacts will be

incrementally smaller. Laws and regulations protecting special-status species, areas of ecological significance, and wetland resources are effective incentives for project proponents to design alternatives that either avoid or substantially reduce impacts on these resources." Due to the programmatic level of analysis in the EIR and lack of project-specific plans, it is not possible to define the exact extent of potential impact, so it is not possible to ascertain with certainty whether the identified mitigation measures for these impacts will reduce impacts to levels considered "not significant." However, it is likely that, with proper design and planning, many of the identified impacts can be avoided or minimized.

(b) Although these mitigation measures will reduce the significance of the identified effect, the implementation of the mitigation measure relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects prior to project approval by MTC. Because reduction of the identified impact is not within the Commission's control, but rather relies on the actions of the implementing agencies, the Commission finds that the impact might not be mitigated to below a level of significance.

(c) Project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. The use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that mitigation measures will be implemented.

Impact:

2.8-8 Forecast urban development that would be served by transportation improvements in the Transportation 2030 Plan, combined with improved regional mobility provided by the Plan, could contribute to the conversion of undeveloped land to urban uses, resulting in the removal or fragmentation of habitat area. (Draft EIR, p. 2.8-20 – 21)

The extent of this cumulative impact cannot be determined with any precision at this time. To represent a reasonable worst case scenario, the impact was identified as potentially significant.

Mitigation Measures:

As the cumulative impacts of the transportation improvements in the proposed Transportation 2030 Plan are the same as the direct impacts listed above (Impact 2.8-3), the mitigation measures for this impact would also be the same (see Mitigation 2.8(c)). Generally, these mitigation measures would be expected to reduce this potentially significant cumulative impact on biological resources to a less-than-significant level if incorporated by project sponsors. However, similar to the proposed project direct impacts on sensitive species (Impact 2.8-3), potential cumulative impacts on special status wildlife species would be significant and unavoidable. (Draft EIR, p. 2.8-21 – 25)

Findings: MTC hereby makes finding (2).

Facts in Support of Findings:

(a) Although these mitigation measures will reduce the identified effect, the implementation of the mitigation measure relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects prior to project approval by MTC. Because reduction of the identified impact is not within the Commission's control, but rather relies on the actions of the implementing agencies, the Commission finds that the impact might not be mitigated to below a level of significance.

(b) Not all potentially significant impacts may be reduced to levels that are not significant. Cumulative development, regardless of the proposed project, will occur in the region and may impact biological resources.

(c) Project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. The use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that mitigation measures will be implemented.

VISUAL RESOURCES

Three significant impacts were identified related to blocking views, soundwall construction, and changes in visual character.

Significance Criteria:

Criterion 1: Blocks panoramic views of significant features. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact where transportation projects block panoramic views or views of significant landscape features or landforms (mountains, oceans, rivers, the San Francisco Bay, or significant man-made structures) as seen from the transportation facility or from public viewing areas.

Criterion 2: Alters the appearance of area near scenic highways. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact where transportation projects alter the appearance of or from state- or county-designated or eligible scenic highways. Such projects would be judged against a higher standard for visual impacts.

Criterion 3: Creates significant contrasts. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact where transportation projects create significant contrasts with the scale, form, line, color and/or overall visual character of the existing landscape setting.

Criterion 4: Adds an incongruous visual element. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact where transportation projects add a visual element of urban character to an existing rural or open space area or add a modern element to a historic area. (Draft EIR, p. 2.9-5 – 7)

Impact:

2.9-2 Construction of certain improvements in the proposed Transportation 2030 Plan could affect visual resources by adding or expanding transportation facilities in rural or open space areas, blocking views from adjoining areas, blocking or intruding into important vistas along roadways, and changing the scale, character, and quality of designated or eligible Scenic Highways. (Draft EIR, p. 2.9-9 – 12)

Mitigation Measures:

2.9(b) Project sponsors shall commit to mitigation measures at the time of certification of their project environmental document. These commitments obligate project sponsors to implement measures that would minimize or eliminate any significant visual impacts. Typical mitigation measures that could be considered by project sponsors include:

– Design projects to minimize contrasts in scale and massing between the project and surrounding natural forms and development. Site or design projects to minimize their intrusion into important view sheds.

– Use natural landscaping to minimize contrasts between the project and surrounding areas. Wherever possible, develop interchanges and transit lines at the grade of the surrounding land to limit view blockage. Contour the edges of major cut and fill slopes to provide a more natural looking finished profile.

– Design landscaping along highway corridors to add significant natural elements and visual interest to soften the hard edged, linear travel experience that would otherwise occur.

– Complete design studies for projects in designated or eligible Scenic Highway corridors. Consider the "complete" highway system and develop mitigation measures to minimize impacts on the quality of the views or visual experience that originally qualified the highway for Scenic designation.

These mitigation measures would be expected to reduce potentially significant impacts on visual resources if incorporated by project sponsors. It is not expected that these mitigation measures would eliminate all visual impacts, and the implementation of some transportation improvements in the proposed Transportation 2030 Plan may result in visual changes that could be considered adverse and significant by some viewers. (Draft EIR, p. 2.9-12)

Finding: MTC hereby makes finding (2).

Facts in Support of Findings:

(a) Although these mitigation measures will reduce the significance of the identified effect, the implementation of the mitigation measure relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects prior to project approval by MTC. Because reduction of the identified impact is not within the Commission's control, but rather relies on the actions of the implementing agencies, the

Commission finds that the impact might not be mitigated to below a level of significance.

(b) Not all impacts may be mitigated to a less than significant level. The level of impact will depend on final project design and locations.

(c) Project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. The use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that mitigation measures will be implemented.

Impact:

2.9-3 The construction of soundwalls along freeways and arterials, where they are used to reduce noise levels in surrounding residential areas, could significantly alter views from the road reducing visual interest and sense of place while also limiting views and sunlight from adjoining areas. (Draft EIR, p. 2.9-13)

Mitigation Measures:

2.9(c) Transportation project sponsors should consider the following mitigation measures to minimize significant visual impacts:

– Replace and renew landscaping to the greatest extent possible along corridors with road widenings, interchange projects and related improvements. Plan landscaping in new corridors to respect existing natural and man-made features and to complement the dominant landscaping of surrounding areas.

– Where possible, develop new or expanded roadways below the grade of surrounding areas to minimize the need for tall soundwalls.

– Construct soundwalls of materials whose color and texture complements the surrounding landscape and development.

– Where there is room, landscape the soundwalls with plants that screen the soundwall, preferably with either native vegetation or landscaping that complements the dominant landscaping of surrounding areas.

These mitigation measures are not expected to reduce this potentially significant impact on visual resources to a less-than-significant level in all cases. As such, this impact would likely remain significant, depending upon the extent, design, and specific location of the soundwalls. (Draft EIR, p. 2.9-13)

Finding: MTC hereby makes finding (2).

Facts in Support of Findings:

(a) Although these mitigation measures will reduce the identified effect, the implementation of the mitigation measure relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and

NEPA, if applicable, for individual projects prior to project approval by MTC. Because reduction of the identified impact is not within the Commission's control, but rather relies on the actions of the implementing agencies, the Commission finds that the impact might not be mitigated to below a level of significance.

(b) Not all impacts can be mitigated to a less-than-significant level. Depending on the extent, design, and specific location of soundwalls, impacts on visual resources may be significant.

(c) Project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. The use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that mitigation measures will be implemented.

Impact:

2.9-4 Forecast urban development that would be served by transportation improvements in the proposed Transportation 2030 Plan could significantly change the visual character of many areas in the region, especially where development would occur on visually prominent hillsides or in existing rural or open space lands. (Draft EIR, p. 2.9-13 – 14)

The cumulative effect of forecast development would be to alter the visual character of many parts of the Bay Area over the next 25 years.

Mitigation Measures:

Local land use agencies are responsible for the approval of forecast urban development. These agencies should apply development standards and guidelines to maintain compatibility with surrounding natural areas, including site coverage, building height and massing, building materials and color, landscaping, site grading, etc., in visually sensitive sites areas.

Findings: MTC hereby makes finding (2).

Facts in Support of Findings:

(a) Although these mitigation measures will reduce the significance of the identified impact, the implementation of the mitigation measure relies on the efforts of other agencies, namely local land use agencies. Because reduction of the identified effect is not within the Commission's control, but rather relies on the actions of the local land use agencies, the Commission finds that the impact might not be mitigated to below a level of significance.

(b) Not all impacts can be mitigated to a less-than-significant level. Depending on the extent, design, and specific location of development, impacts on visual resources may be significant.

(c) Project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. The use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that mitigation measures will be implemented.

FINDINGS REGARDING POTENTIAL SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH CAN FEASIBLY BE MITIGATED TO BELOW A LEVEL OF SIGNIFICANCE

MTC has determined that the following potential effects in the issue areas of land use, noise, geology, water resources, biology, visual resources, and cultural resources will not be significant because the adoption of feasible mitigation measures, alternatives and proposals incorporated into the Transportation 2030 Plan will reduce the impacts to below a level of significance.

LAND USE, HOUSING, AND SOCIAL ENVIRONMENT

Impact:

2.3-3 Transportation improvements in the proposed Transportation 2030 Plan have the potential to cause permanent community disruption. (Draft EIR, p. 2.3-29 – 30)

Mitigation Measures:

2.3(c) Project sponsors shall commit to site-specific mitigation measures at the time of certification of their project environmental document. Mitigation measures will be identified to the extent feasible to minimize impacts. Typical measures include:

- Berms and fencing to reduce conflicts between transportation and existing uses;
- Corridor realignment, where feasible, to avoid land use disruption; and
- Buffer zones and setbacks to protect the continuity of land uses.

2.3(d) MTC should encourage project sponsors through EIR comments to consider design elements in their projects that would maintain or enhance neighborhood accessibility in partnership with other locally sponsored traffic calming and alternative transportation initiatives such as paths, trails, overcrossings, and bicycle plans.

Findings: MTC hereby makes finding (1) and (2).

Facts in Support of Findings:

(a) MTC requires project sponsors to comply with CEQA and NEPA, if applicable, prior to project approval by MTC.

(b) The mitigation measures referred to above are performance standards drawn from the Transportation 2030 Plan EIR. They are appropriate for reducing the impacts at the program level. Specific mitigation measures that satisfy these performance standards will have to be implemented for impacts identified during the environmental evaluation of individual projects.

NOISE

Impact:

2.5-1 Construction of the transportation improvements proposed in the Transportation 2030 Plan would have short-term noise impacts on surrounding areas. (Draft EIR, p. 2.5-18)

Mitigation Measures:

2.5(a) Project sponsors shall commit to mitigation measures at the time of certification of each environmental document and at the time of project approval. Construction noise mitigation normally required by Caltrans' *Standard Specifications and Standard Special Provisions*, as well as local city and county ordinances shall be implemented for individual Transportation 2030 Plan projects that include physical construction activities. Construction mitigation measures generally limit construction activities to times when construction noise would have the least effect on adjacent land uses, and would require such measures as properly muffling equipment noise, locating equipment as far from sensitive receptors as possible, and turning off equipment when not in use. Some jurisdictions may also have property line or other noise level limits that must be adhered to during construction. (Draft EIR, p. 2.5-19)

Findings: MTC hereby makes findings (1) and (2).

Facts in Support of Findings:

(a) MTC requires project sponsors to comply with CEQA and NEPA, if applicable, prior to project approval by MTC.

(b) The mitigation measures referred to above are performance standards drawn from the Transportation 2030 Plan EIR. They are appropriate for reducing the impacts at the program level. Specific mitigation measures that satisfy these performance standards will have to be implemented for impacts identified during the environmental evaluation of individual projects.

Impact:

2.5-2 Transportation improvements proposed as part of the Transportation 2030 Plan could result in noise levels that approach or exceed the FHWA and FTA Noise Abatement Criteria or that could cause noise levels to increase by 3 dBA or more. (Draft EIR, p. 2.5-19 – 20)

Mitigation Measures:

2.5(a) Project sponsors shall commit to mitigation measures at the time of certification of their environmental document. Noise mitigation measures must respond to local land use compatibility criteria, and, if federal funding is used for the project, mitigation measures must also conform to applicable FHWA or FTA noise abatement criteria. Typical measures include the following 2.5(b), 2.5(c) and 2.5(d).

2.5(b) Construction of sound walls adjacent to new or improved roads or transit lines. It is likely that FHWA noise abatement criteria would be met if sound walls are included along the identified projects. Where the proposed Transportation 2030 Plan would improve existing roadways, sound walls would also result in a reduction of overall sound levels, even considering potential increases from road widenings and additional traffic. As a result, the implementation of this mitigation measure can avoid project noise impacts *and* reduce existing noise levels along a number of heavily-traveled corridors in the region.

2.5(c) Adjustments to proposed roadway or transit alignments to reduce noise levels in noise sensitive areas. For example, depressed roadway alignments can effectively reduce noise levels in nearby areas.

2.5(d) Insulation of buildings or construction of noise barriers around sensitive receptor properties:

– Vibration isolation of track segments.

– Use of local land use policies by local agencies to guide the location of noise sensitive uses to sites away from roadways and rail corridors.

As noted, the implementation of noise mitigation will, in some cases, more than offset the noise impacts of a particular transportation improvement. As a result, the proposed Transportation 2030 Plan has the potential to bring noise abatement benefits to communities that currently experience noise problems resulting from existing traffic. (Draft EIR, p. 2.5-20 – 21)

Findings: MTC hereby makes findings (1) and (2).

Facts in Support of Findings:

(a) MTC requires project sponsors to comply with CEQA and NEPA, if applicable, prior to project approval by MTC.

(b) The mitigation measures referred to above are performance standards drawn from the Transportation 2030 Plan EIR. They are appropriate for reducing the impacts at the program level. Specific mitigation measures that satisfy these performance standards will have to be implemented for impacts identified during the environmental evaluation of individual projects.

GEOLOGY

Impact:

2.6-2 Highway and rail construction, under the proposed Transportation 2030 Plan, could require significant earthwork and road cuts, which could increase short-term and long term soil erosion potential and slope failure. (Draft EIR, p. 2.6-18)

Mitigation Measures:

2.6(b) Implementing agencies shall ensure that projects employ Best Management Practices to reduce soil erosion by water and wind. These could include temporary cover of ex-

posed, engineered slopes, or silt fencing. All construction activities and design criteria shall comply with applicable codes and requirements of the 1997 Uniform Building Code with California additions (Title 22), and applicable Caltrans construction and grading ordinances.

2.6(c) Implementing agencies shall ensure that project designs provide adequate slope drainage and appropriate landscaping to minimize the occurrence of slope instability and erosion. Design features shall include measures to reduce erosion from stormwater. Road cuts shall be designed to maximize the potential for revegetation. (Draft EIR, p. 2.6-18)

Findings: MTC hereby makes findings (1) and (2).

Facts in Support of Findings:

(a) MTC requires project sponsors to comply with CEQA and NEPA, if applicable, prior to project approval by MTC.

(b) The mitigation measures referred to above are performance standards drawn from the Transportation 2030 Plan EIR. They are appropriate for reducing the impacts at the program level. Specific mitigation measures that satisfy these performance standards will have to be implemented for impacts identified during the environmental evaluation of individual projects.

Impact:

2.6-3 Projects built on highly compressible or expansive soils could become damaged and weakened over time. (Draft EIR, p. 2.6-18 – 19)

Mitigation Measures:

2.6(d) Implementing agencies shall ensure that geotechnical investigations be conducted by qualified professionals (registered civil and geotechnical engineers, registered engineering geologists) to identify the potential for differential settlement and expansive soils. Recommended corrective measures, such as structural reinforcement and replacing soil with engineered fill, shall be incorporated into project designs. (Draft EIR, p. 2.6-19)

Findings: MTC hereby makes findings (1) and (2).

Facts in Support of Findings:

(a) MTC requires project sponsors to comply with CEQA and NEPA, if applicable, prior to project approval by MTC.

(b) The mitigation measures referred to above are performance standards drawn from the Transportation 2030 Plan EIR. They are appropriate for reducing the impacts at the program level. Specific mitigation measures that satisfy these performance standards will have to be implemented for impacts identified during the environmental evaluation of individual projects.

Impact:

2.6-4 The projected population increase in the Bay Area will result in increased travel on all modes of transportation. This would result in an increased risk of exposure of people and property to the potentially damaging effects of strong seismic shaking, fault rupture, seismically-induced ground failure and slope instability. (Draft EIR, p. 2.6-19)

Mitigation Measures:

Since the cumulative impacts from the Transportation 2030 Plan are essentially the same as the direct and short-term impacts (exposing travelers to geologic hazards), the mitigation measures for this impact would be the same as described in measure 2.6(a). (Draft EIR, p. 2.6-18 – 19)

Findings: MTC hereby makes findings (1) and (2).

Facts in Support of Findings:

(a) MTC requires project sponsors to comply with CEQA and NEPA, if applicable, prior to project approval by MTC.

(b) The mitigation measures referred to above are performance standards drawn from the Transportation 2030 Plan EIR. They are appropriate for reducing the impacts at the program level. Specific mitigation measures that satisfy these performance standards will have to be implemented for impacts identified during the environmental evaluation of individual projects.

WATER RESOURCES

Significance Criteria:

Criterion 1: Erosion from cut-and-fill slopes. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact if transportation projects increase erosion by altering the existing drainage patterns of the site that contributes to sediment loads of streams and drainage facilities, thereby affecting water quality.

Criterion 2: Pollution of stormwater runoff from vehicle residues. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact if transportation projects increase non-point pollution of stormwater runoff due to litter, fallout from airborne particulate emissions, or discharges of vehicle residues, including petroleum hydrocarbons, and metals, that would impact the quality of receiving waters.

Criterion 3: Pollution of stormwater runoff from construction sites. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact if transportation projects result in pollution of stormwater runoff from construction sites due to discharges of sediment, chemicals, and wastes to nearby storm drains and creeks.

Criterion 4: Increased rates and amounts of runoff from impervious surfaces. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact if transportation projects result in increased rates and amounts of runoff due to additional impervious surfaces, higher runoff values for cut-and-fill slopes, or alterations to drainage systems that could cause potential flood hazards and effects on water quality.

Criterion 5: Reduced rates of groundwater recharge. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact if transportation projects reduce rates of groundwater recharge due to the increased amount of impervious surfaces. (Draft EIR, p. 2.7-9)

Impact:

2.7-1 Construction of the proposed transportation improvements in the Transportation 2030 Plan could adversely affect water quality and drainage patterns in the short term due to erosion and sedimentation. (Draft EIR, p. 2.7-11)

Mitigation Measures:

2.7(a) Local permitting agencies shall require preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP), in accordance with the SWRCB's General Construction Permit. The SWPPP shall also be consistent with the Manual of Standards for Erosion and Sedimentation Control by the Association of Bay Area Governments, the California Stormwater Quality Association (CASQA), Stormwater Best Management Practice Handbook for Construction, policies and recommendations of the local urban runoff program (city and/or county), and the recommendations of the RWQCB. Implementation of the SWPPP shall be enforced by inspecting agencies during the construction period via appropriate options such as citations, fines, and stop-work orders. Typical components of a SWPPP would include the following:

- Excavation and grading activities shall be scheduled for the dry season only (April 15 to October 15), to the extent possible. This will reduce the chance of severe erosion from intense rainfall and surface runoff, as well as the potential for soil saturation in swale areas.
- If excavation occurs during the rainy season, storm runoff from the construction area shall be regulated through a stormwater management/erosion control plan that may include temporary on-site silt traps and/or basins with multiple discharge points to natural drainages and energy dissipaters. Stockpiles of loose material shall be covered and runoff diverted away from exposed soil material. If work is stopped due to rain, a positive grading away from slopes shall be provided to carry the surface runoff to areas where flow can be controlled, such as the temporary silt basins. Sediment basin/traps shall be located and operated to minimize the amount of offsite sediment transport. Any trapped sediment should be removed from the basin or trap and placed at a suitable location on-site, away from concentrated flows, or removed to an approved disposal site.

- Temporary erosion control measures shall be provided until perennial revegetation or landscaping is established and can minimize discharge of sediment into nearby waterways. For construction within 500 feet of a water body, fiber rolls and/or gravel bags shall be placed upstream adjacent to the water body.

- After completion of grading, erosion protection shall be provided on all cut-and-fill slopes. Revegetation should be facilitated by mulching, hydroseeding, or other methods and shall be initiated as soon as possible after completion of grading and prior to the onset of the rainy season (by October 15).
- Permanent revegetation/landscaping shall emphasize drought-tolerant perennial ground coverings, shrubs, and trees to improve the probability of slope and soil stabilization without adverse impacts to slope stability due to irrigation infiltration and long-term root development.
- BMPs selected and implemented for the project shall be in place and operational prior to the onset of major earthwork on the site. The construction phase facilities shall be maintained regularly and cleared of accumulated sediment as necessary.
- Hazardous materials such as fuels and solvents used on the construction sites shall be stored in covered containers and protected from rainfall, runoff, and vandalism. A stockpile of spill cleanup materials shall be readily available at all construction sites. Employees shall be trained in spill prevention and cleanup, and individuals should be designated as responsible for prevention and cleanup activities.

SWPPP(s) for projects immediately adjacent to or within drainages would also incorporate the following additional erosion control minimum criteria:

- Construction equipment shall not be operated in flowing water, except as may be necessary to construct crossings or barriers.
- Stream diversion structures shall be designed to preclude accumulation of sediment. If this is not feasible, an operation plan should be developed to prevent adverse downstream effects from sediment discharges.
- Where working areas are adjacent to or encroach on live streams, barriers shall be constructed that are adequate to prevent the discharge of turbid water in excess of specified limits. The discharged water shall not exceed 110 percent of the ambient stream turbidity of the receiving water, if the receiving water is a flowing stream with turbidity greater than 50 nephelometric turbidity unit (NTU), or 5 NTU above ambient turbidity for ambient turbidities that are less than or equal to 40 NTU. If the water is discharged to a dry streambed, the discharged water shall not exceed 50 NTU.
- Material from construction work shall not be deposited where it could be eroded and carried to the stream by surface runoff or high stream flows.
- Riparian vegetation shall be removed only when absolutely necessary.

These mitigation measures would be expected to reduce this potentially significant impact on water resources to a less-than-significant level if incorporated by project sponsors. (Draft EIR, p. 2.7-11 – 13)

Findings: MTC hereby makes findings (1) and (2).

Facts in Support of Findings:

(a) MTC requires project sponsors to comply with CEQA and NEPA, if applicable, prior to project approval by MTC.

(b) The mitigation measures referred to above are performance standards drawn from the Transportation 2030 Plan EIR. They are appropriate for reducing the impacts at the program level. Specific mitigation measures that satisfy these performance standards will have to be implemented for impacts identified during the environmental evaluation of individual projects.

Impact:

2.7-2 The transportation improvements in the Transportation 2030 Plan could adversely affect water resources in the long term by reducing permeable surfaces, which could result in additional runoff and erosion, degrade water quality in receiving waters, decrease groundwater recharge, or alter drainage patterns. (Draft EIR, p. 2.7-13 – 14)

Mitigation Measures:

2.7(b) Local permitting agencies shall require projects to comply with design guidelines established in the Bay Area Stormwater Management Agencies Association's (BASMAA) *Start at the Source Design Guidance Manual for Stormwater Quality Protection* and the California Storm Water Best Management Practice Handbook for New Development and Redevelopment to minimize both increases in the volume and rate of stormwater runoff, and the amount of pollutants entering the storm drain system. Typical mitigation measures include the following: (Draft EIR, p. 2.7-14 – 15)

Surface Water

- Drainage of roadway and parking lot runoff shall, wherever possible, be designed to run through grass median strips, contoured to provide adequate storage capacity and to provide overland flow, detention, and infiltration before it reaches culverts. Detention basins and ponds, aside from controlling runoff rates, can also remove particulate pollutants through settling. Facilities such as oil and sediment separators or absorbent filter systems shall therefore be designed and installed within the storm drainage system to provide filtration of stormwater prior to discharge and reduce water quality impacts whenever feasible. For example, runoff shall be filtered through mechanical or natural filtration systems such as pre-manufactured oil water separators or through natural processes such as bioswales and settlement ponds to remove oil and grease prior to discharge.

- Long-term sediment control shall include an erosion control and revegetation program designed to allow reestablishment of native vegetation on slopes in undeveloped areas.

- In areas where habitat for fish and other wildlife would be threatened by transportation facility discharge, alternate discharge options shall be sought to protect sensitive fish and wildlife populations. Maintenance activities over the life of the project should include heavy-duty sweepers, with disposal of collected debris in sanitary landfills to effectively reduce annual pollutant loads where appropriate. Catch basins and storm drains shall be cleaned and maintained on a regular basis.

- Landscaped areas shall use Integrated Pest Management techniques (methods that minimize the use of potentially hazardous chemicals for landscape pest control and vineyard operations). The handling, storage, and application of potentially hazardous chemicals shall take place in accordance with all applicable laws and regulations.

Groundwater

- Detention basins, infiltration strips, and other features to facilitate groundwater recharge shall be incorporated into the design of new freeway and roadway facilities whenever possible.

Flooding

- Projects shall be designed so that they do not increase downstream flooding risks by increasing peak runoff volumes. Including detention ponds in designs for roadway medians, parking areas, or other facilities, or increasing the size of local flood control facilities serving the project areas could achieve this measure. Existing pervious surface shall be preserved to the maximum extent possible to minimize increases in stormwater runoff volumes and rates.
- Projects shall be designed to allow lateral transmission of stormwater flows across transportation corridors with no increased risk of upstream flooding. Culverts and bridges shall be designed to adequately carry drainage waters through project sites. The bottom of overpass structures should be elevated at least 1 foot above the 100-year flood elevation at all stream and drainage channel crossings.
- All roadbeds for new highway and rail transit facilities should be elevated at least 1 foot above the 100-year base flood elevation.

Findings: MTC hereby makes findings (1) and (2).

Facts in Support of Findings:

(a) MTC requires project sponsors to comply with CEQA and NEPA, if applicable, prior to project approval by MTC.

(b) The mitigation measures referred to above are typical measures identified in the Transportation 2030 Plan EIR. Specific mitigation measures will have to be implemented for impacts identified during the environmental evaluation of individual projects.

Impact:

2.7-3 Forecast urban development served by the Transportation 2030 Plan, plus new public and private infrastructure improvements to accommodate future urban development, could degrade regional water quality, reduce groundwater recharge, or result in increased flooding. (Draft EIR, p. 2.7-15)

Mitigation Measures:

As the cumulative impacts of the transportation improvements in the Transportation 2030 Plan are the same as the direct impacts listed above, the mitigation measures for this impact would be the same as Measures 2.7(a) and 2.7(b) (see above). These mitigation measures would be expected to reduce this potentially significant cumulative impact to a less-than-significant level if incorporated by project sponsors. (Draft EIR, p. 2.7-16 – 18)

Findings: MTC hereby makes findings (1) and (2).

Facts in Support of Findings:

(a) MTC requires project sponsors to comply with CEQA and NEPA, if applicable, prior to project approval by MTC.

(b) The mitigation measures referred to above are identified as typical measures in the Transportation 2030 Plan EIR. They are appropriate for reducing the impacts at the program level. Specific mitigation measures will have to be implemented for impacts identified during the environmental evaluation of individual projects.

BIOLOGICAL RESOURCES:

Impact:

2.8-1 Transportation improvements in the Transportation 2030 Plan could adversely affect wetlands and aquatic resources. (Draft EIR, p. 2.8-14 – 15)

Mitigation Measures:

In accordance with guidelines of the U.S. Army Corps of Engineers (Corps), the U.S. Environmental Protection Agency (EPA), U.S. Fish and Wildlife Service (USFWS), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Game (CDFG), a goal of "no net loss" of wetland acreage and value will be implemented, wherever possible, through avoidance of the resource.

2.8(a) In keeping with the no net loss policy, project designs shall be reconfigured, whenever possible, to avoid sensitive wetlands and avoid disturbances to wetland and riparian corridors. Projects shall minimize ground disturbances and construction footprints near such areas to the extent practicable.

Mitigation for wetland impacts due to the transportation projects would be based on project-specific wetland mitigation plans, subject to approval by the Corps, and possibly by the USFWS, RWQCB, and CDFG as well. Mitigation for placing fill in wetlands

would be partially achieved by avoiding wetlands and by minimizing fill where avoidance is not feasible. Individual projects shall minimize the use of in-water construction methods to reduce impacts to wetlands, and only do so with express permit approval from the appropriate resources agencies.

Avoidance, compensatory restoration, or creation of new wetland communities to offset the conversion of wetlands for proposed transportation improvements would achieve "no net loss" of wetland acreage and value. (Draft EIR, p. 2.8-15)

Findings: MTC hereby makes findings (1) and (2).

Facts in Support of Findings:

(a) MTC requires project sponsors to comply with CEQA and NEPA, if applicable, prior to project approval by MTC.

(b) The mitigation measures referred to above are performance standards drawn from the Transportation 2030 Plan EIR. They are appropriate for reducing the impacts at the program level. Specific mitigation measures that satisfy these performance standards will have to be implemented for impacts identified during the environmental evaluation of individual projects.

Impact:

2.8-2 Transportation improvements in the Transportation 2030 Plan could cause substantial disturbance of biologically unique or sensitive communities that are regulated by CDFG. (Draft EIR, p. 2.8-16)

Mitigation Measures:

2.8(b) In accordance with CDFG guidelines, project sponsors shall make an effort to minimize impacts on sensitive plant communities, especially riparian habitats, when designing and permitting projects. Where applicable, projects shall conform to the provisions of special area management or restoration plans such as the Suisun Marsh Protection Plan, which outline specific measures to protect sensitive vegetation communities. (Draft EIR, p. 2.8-16)

Findings: MTC hereby makes findings (1) and (2).

Facts in Support of Findings:

(a) MTC requires project sponsors to comply with CEQA and NEPA, if applicable, prior to project approval by MTC.

(b) The mitigation measures referred to above are performance standards drawn from the Transportation 2030 Plan EIR. They are appropriate for reducing the impacts at the program level. Specific mitigation measures that satisfy these performance standards will have to be implemented for impacts identified during the environmental evaluation of individual projects.

Impact:

2.8-5 Construction activities could adversely affect nonlisted nesting raptor species. (Draft EIR, p. 2.8-19)

Mitigation Measures:

2.8(d) At the time of project certification, project sponsors shall agree to comply with mitigation measures to avoid and minimize impacts to nesting raptors. Typical measures that may be included by project sponsors include:

1. To avoid and minimize impacts to nesting raptors, preconstruction surveys would be performed prior to initiating construction activities during the breeding season (February 1 through August 31). If it is determined that young have fledged and are self-sufficient, no further mitigation would be required.

2. To avoid and minimize potential impacts to nesting raptors, a no-disturbance buffer zone would be established around active nests during the breeding season.

3. The size of individual buffers could be adjusted based on an evaluation of the site by a qualified raptor biologist.

Findings: MTC hereby makes findings (1) and (2).

Facts in Support of Findings:

(a) MTC requires project sponsors to comply with CEQA and NEPA, if applicable, prior to project approval by MTC.

(b) Implementing the above mitigation measures would allow early recognition of nesting raptors in and near work areas and avoid impacts to these species. Following implementation of seasonal avoidance methods, this impact would be less than significant.

(c) The mitigation measures referred to above are identified as typical measures in the Transportation 2030 Plan EIR. Specific mitigation measures will have to be implemented for impacts identified during the environmental evaluation of individual projects.

Impact:

2.8-6 Construction activities could impact nonlisted nesting birds species protected under the federal Migratory Bird Treaty Act. (Draft EIR, p. 2.8-19)

Mitigation Measures:

2.8(e) Concurrent with surveys described in Mitigation Measure 2.8(d) (see above), surveys shall be performed for migratory birds listed in the federal List of Migratory Birds (50 Code of Federal Regulations, Chapter 1, Part 10 §10.13). More than 500 native and

migratory bird species are protected by this statute. If protected breeding birds are detected during surveys, a buffer zone, depending upon the species identified, shall be established around active nesting sites in coordination with CDFG. (Draft EIR, p. 2.8-20)

Findings: MTC hereby makes findings (1) and (2).

Facts in Support of Findings:

(a) MTC requires project sponsors to comply with CEQA and NEPA, if applicable, prior to project approval by MTC.

(b) The mitigation measures referred to above are performance standards drawn from the Transportation 2030 Plan EIR. They are appropriate for reducing the impacts at the program level. Specific mitigation measures that satisfy these performance standards will have to be implemented for impacts identified during the environmental evaluation of individual projects.

VISUAL RESOURCES

Impact:

2.9-1 Construction of new and expanded transportation projects could affect visual resources during the period of construction. (Draft EIR, p. 2.9-9)

Mitigation Measures:

2.9(a) Typical mitigation measures used to minimize short term visual impacts include reducing the visibility of construction staging areas where possible and fencing and screening these areas with low contrast materials consistent with the surrounding environment. Graded slopes and exposed earth surfaces should be revegetated at the earliest opportunity. (Draft EIR, p. 2.9-9)

Findings: MTC hereby makes findings (1) and (2).

Facts in Support of Findings:

(a) MTC shall require that project sponsors comply with CEQA and NEPA, if applicable, prior to project approval by MTC.

(b) The mitigation measures referred to above are performance standards drawn from the Transportation 2030 Plan EIR. They are appropriate for reducing the impacts at the program level. Specific mitigation measures that satisfy these performance standards will have to be implemented for impacts identified during the environmental evaluation of individual projects.

CULTURAL RESOURCES

Significance Criteria:

Criterion 1: Substantially changes the significance of a historical resource. Implementation of the proposed Transportation 2030 Plan would have a potentially signifi-

cant impact if transportation projects have the potential to cause a substantial adverse change in the significance of a historical resource, defined as physical demolition, destruction, relocation or alteration of the resource or its immediate surroundings such that the significance of an historic would be materially impaired (Guidelines § 15064.5).

Criterion 2: Substantially changes the significance of an archaeological resource. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact if transportation projects have the potential to cause a substantial adverse change in the significance of a unique archaeological resource.

Criterion 3: Destroys a unique paleontological resource. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact if transportation projects have the potential to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Criterion 4: Disturbs human remains. Implementation of the proposed Transportation 2030 Plan would have a potentially significant impact if transportation projects within the Plan have the potential to disturb any human remains, including those interred outside of formal cemeteries. (Draft EIR, p. 2.10-5 – 6)

Impact:

2.10-1 Individual transportation improvements in the proposed Transportation 2030 Plan that involve ground disturbing activities have the potential to disturb, destroy, or significantly affect cultural resources. (Draft EIR, p. 2.10-7 – 8)

Mitigation Measures:

2.10(a) Project sponsors shall commit to mitigation measures at the time of certification of their project environmental document. These commitments obligate project sponsors to implement measures that would minimize or eliminate any significant impacts on cultural resources. Typical mitigation measures that can be considered by project sponsors include:

- Site evaluation to determine an area of potential effect, including activities related to construction and the extent of post-construction impacts, for any site that requires grading or subsurface disturbance.
- Review through the Northwest Information Center at Sonoma State University to determine the potential for, or existence of, cultural resources.
- Evaluation to determine the significance (as defined by CEQA and National Historic Preservation Act guidelines) of cultural resources identified within the area of potential effect.
- Assessment by a qualified professional of sites or corridors with no identified cultural resources, but a moderate to high potential for archaeological resources.

- Assessment by a qualified professional of structures greater than 40 years in age within the area of potential effect to determine their eligibility for recognition under State, federal, or local historic preservation criteria.
- For development adjacent to sites with an identified historic or archaeological resource, minimize degradation to the resource by studying the potential effects and implementing appropriate measures to protect the integrity of the resource or site.
- Project-specific environmental documents shall require that if evidence of a cultural resource is found during construction the following actions shall be implemented:
  - Cessation of construction activities.
  - Evaluation by a professional archaeologist or historian to evaluate the value of the resources found and to advise on a plan to preserve resources determined to be of significance.

With the implementation of the above measures and adherence to state and federal regulations that protect cultural resources, potentially significant impacts on cultural resources would be reduced to levels that are not significant. (Draft EIR, p. 2.10-8 – 9)

Findings: MTC hereby makes findings (1) and (2).

Facts in Support of Findings:

(a) MTC shall require that project sponsors comply with CEQA and NEPA, if applicable, prior to project approval by MTC.
(b) The mitigation measures referred to above are performance standards drawn from the Transportation 2030 Plan EIR. They are appropriate for reducing the impacts at the program level. Specific mitigation measures that satisfy these performance standards will have to be implemented for impacts identified during the environmental evaluation of individual projects.

Impact:

2.10-2 Forecast urban development that would be served by transportation improvements in the proposed Transportation 2030 Plan could have the potential to disturb, destroy, or significantly affect cultural resources. (Draft EIR, p. 2.10-9)

Mitigation Measures:

2.10(a) See above. (Draft EIR, p. 2.10-9)

Findings: MTC hereby makes findings (1) and (2).

Facts in Support of Findings:

(a) MTC shall require that project sponsors comply with CEQA and NEPA, if applicable, prior to project approval by MTC.
(b) The mitigation measures referred to above are performance standards drawn from the Transportation 2030 Plan EIR. They are appropriate for reducing the impacts at the

program level. Specific mitigation measures that satisfy these performance standards will have to be implemented for impacts identified during the environmental evaluation of individual projects.

FINDINGS REGARDING ALTERNATIVES

INTRODUCTION

CEQA requires an EIR to consider a reasonable range of alternatives to a proposed project or to the location of the proposed project. These alternatives must "feasibly attain the basic objectives of the project (CEQA Guidelines, §15126(a))." "Feasible" means that the alternatives "are capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors (CEQA Guidelines, §15364)." This section describes the project objectives and attributes of the alternatives and provides the Commission's reasons for rejecting the alternatives. Also, see the Statement of Overriding Considerations in Appendix B of this document.

GOALS AND OBJECTIVES OF THE PROJECT

The MTC hereby finds that the following goals and objectives were established by MTC for the Transportation 2030 Plan:

A Safe and Well Maintained System

- Reduce injuries and fatalities for all modes;
- Be prepared for future transportation emergencies resulting from natural disasters and security threats;
- Reduce long term transportation repair costs through timely replacement of assets; and
- Save consumers repair costs due to poor road conditions.

A Reliable Commute

- Create an effective set of travel options for people to get to their destinations depending on their personal preferences for time, cost, convenience and trip reliability;
- Improve the number of trips that can be made on time;
- Make it easier for people to make connections between transit systems and freeway segments and to move from one mode to another;
- Improve information on travel conditions and options; and
- Make cost effective use of new technologies in support of these objectives.

Access to Mobility

- Identify barriers, such as gaps in service, affordability, and safety;
- Improve delivery of services by coordinating with a range of agencies; and
- Secure adequate resources to respond to lifeline mobility needs.

Livable Communities

- Create incentives to encourage transit-oriented development around regional transit systems and mixed use development elsewhere;
- Create new and safer ways to get around within communities by walking and biking and connecting communities to transit; and

- Partner with local communities in developing transportation approaches that enhance community vitality for neighborhoods and retail centers.

Clean Air

- Achieve additional reductions in motor vehicle emissions through effective transportation control measures;
- Working with the Air District, develop new episodic control strategies for predicted high ozone days; and
- Help reduce particulate matter from buses and other heavy duty vehicles.

Efficient Freight Travel

- Identify key improvements in the surface transportation system where public investment can help the freight industry;
- Identify long term capacity issues associated with cargo movement through airports and seaports; and
- Collaborate with the private sector to best leverage both public and private financial resources to improve freight related infrastructure.

In addition, the MTC approved a five-point transportation/land use platform to further coordinate transportation and land use planning within the Bay Area and with neighboring regions. The components of the Transportation 2030 Plan are designed to fully achieve the project objectives. The Plan is divided into the financially constrained element and vision element. With this comprehensive set of projects, the Plan meets the project objectives better than any of the other alternatives.

ALTERNATIVES

The Transportation 2030 Plan EIR considers four alternatives to the proposed Transportation 2030 Plan in addition to the CEQA-required analysis of a No Project alternative. A full description of the five alternatives is in Chapter 3.1 of the DEIR. The alternatives are as follows:

- **No Project Alternative** (**Alternative 1**) – The No Project alternative addresses the effects of <u>not</u> implementing the Transportation 2030 Plan. This alternative includes a set of highway, transit, local roadway, bicycle, and pedestrian projects that are in advanced planning stages and slated to go forward since they already have full funding commitments. These projects are: (1) included in the federally required Transportation Improvement Program (TIP), a funding program for the next three years of project and programs in the Bay Area; (2) not yet in the TIP but are fully funded county transportation sales projects authorized by voters in Alameda, Contra Costa, Santa Clara, San Mateo, and San Francisco counties; and (3) not yet in the TIP but fully funded through the Regional Measure 2 Toll Bridge Program that was approved by Bay Area voters in March 2003. These projects are collectively referred to as "Committed Projects."
- **Financially Constrained Transportation 2030 Plan Alternative** (**Alternative 2**) – This alternative consists of only the set of transportation projects and programs that would be funded through revenues projected to be reasonably available over the 25-year horizon of the Transportation 2030 Plan. This set of projects is known as the

financially constrained element of the Plan. It does not include projects identified in the vision element of the proposed Transportation 2030 Plan. The key financial assumption governing the financially constrained element of the Plan is that existing sources of federal, state, or regional revenues are assumed to continue to 2030 with the exception of county transportation sales tax measures which, by law, must sunset. No new revenue sources that would require voter or legislative approval are assumed. Both "Committed" and "New Commitment" projects are included in this alternative.

- **Financially Constrained Transportation 2030 Plan Plus Sales Tax Plan Alternative (Alternative 3)** – This alternative includes the financially constrained element of the proposed Transportation 2030 Plan plus additional transportation projects and programs identified in potential new or reauthorized county transportation sales tax measures proposed for San Mateo, Contra Costa, Marin, Solano and Sonoma counties (these projects are currently part of the vision element of the Proposed Project). These additional transportation projects have been defined through the respective county planning and public involvement processes.
- **Financially Constrained Transportation 2030 Plan Plus High-Occupancy/Toll (HOT) Network Alternative (Alternative 4)** – This alternative represents the financially constrained element plus the creation of a network of HOT lanes in the region (these projects are also currently part of the vision element of the Proposed Project). In this alternative, the Bay Area's existing High-Occupancy-Vehicle (HOV) lane system of 300 freeway lane miles, which saves time for vehicles with two or more occupants, would be converted to HOT lanes. Carpools, vanpools, and transit vehicles would continue to have free passage in the HOT lanes, but other motorists would pay a fee to use them. The HOT lanes would operate with no tolls for persons in vehicles of three or more. The HOT network would consist of 800 miles of HOT lanes on the Bay Area's freeways, an additional 500 freeway lane miles over existing conditions (2000).
- **TRANSDEF Smart Growth Alternative (Alternative 5)** – This alternative is supplied by TRANSDEF, a transportation advocacy organization, according to the Settlement Agreement and Release entered into by TRANSDEF, Communities for a Better Environment (CBE), Bay Area Air Quality Management District, and MTC in March 2004. Its purpose is to test the effectiveness of a planning strategy of accommodating regional growth by limiting roadway capacity and directing more potential growth into infill and transit-supportive areas, avoiding greenfield development, and implementing pricing strategies to make driving more expensive and transit more attractive. Therefore, this alternative includes a different mix of projects and programs, as well as a different set of land use distribution and pricing assumptions, relative to the Proposed Project and other alternatives.

FINDINGS OF ALTERNATIVES ANALYSIS

Although the EIR identified first the No Project and secondly the TRANSDEF Smart Growth Alternative as the environmentally superior alternative, the analysis was based on giving an equal weight in all impact areas. MTC finds that these two alternatives are not acceptable for the following reasons.

MTC finds that the No Project alternative would not be desirable, in particular on the issue of transportation, nor would it meet the identified goals and objectives nearly as well as the Proposed Project. The No Project alternative would not include the full range of transportation improvement projects identified in the proposed project. Furthermore, it is the least environmentally preferred in the issue area of transportation, failing to provide the key benefits that would be achieved by the Proposed Project.

MTC finds that the TRANSDEF Smart Growth alternative would not be desirable, in particular on the issue of transportation, nor would it meet the identified goals and objectives as well as the Proposed Project. The TRANSDEF alternative would not include the full range of transportation improvement projects identified in the Proposed Project. Furthermore, it is not environmentally preferred in the issue areas of transportation, geology, and long term land use issues. It would fail to provide the full transportation benefits that would be achieved by the Proposed Project. The TRANSDEF Smart Growth Alternative is not selected for implementation over the Transportation 2030 Plan for these reasons:

- The Transportation 2030 Plan would result in the shortest average travel time per trip, compared to all alternatives. The TRANSDEF alternative would have the highest average personal trip time among all the alternatives.
- The TRANSDEF alternative would have more daily vehicle hours of delay (24 percent more compared to the proposed project), which is a key indicator of how the transportation system is performing for auto users (approximately 80 percent or more of the trips made in the Bay Area in 2030 would be by auto).
- The Transportation 2030 Plan would have fewer vehicle miles traveled (VMT) at LOS F compared to the TRANSDEF alternative (about 12 percent difference).
- A substantial number of approved and funded projects are excluded from the TRANSDEF alternative so that funding can be shifted to other (mostly transit) projects; however, some of these funding re-allocations would require voter approval or rejection of prior voter mandates.
- TRANSDEF presumes that regional agencies have certain authority and powers to impose new pricing strategies, but these concepts have not been tested in a legislative or legal framework. Some pricing strategies such as parking cash-out are expressly limited in application by state law.
- Since several key elements of the TRANSDEF Smart Growth Alternative are not readily available, pursuing this alternative could delay other transportation projects that have been developed through a public involvement process, can be funded, and have no technical, legal, or economic impediments.
- The TRANSDEF Smart Growth alternative would have a higher potential for long-term community disruption, as it calls for increasing the housing and population densities of the region's densest communities, in many cases to levels that are significantly higher than anticipated in the current General Plans and ABAG's *Projections 2003*.
- The Transportation 2030 Plan is environmentally superior to the TRANSDEF Smart Growth alternative and all other alternatives in regards to seismic safety risks. The Plan would actually improve seismic safety.

INDEPENDENT REVIEW AND ANALYSIS

Under CEQA, the lead agency must: (1) independently review and analyze the EIR; (2) circulate draft documents that reflect its independent judgment; and (3) as part of the certification of an EIR, find that the report or declaration reflects the independent judgment of the lead agency. (Pub. Resources Code, section 21082.1, subd. (c).)

The Commission hereby finds that it has independently reviewed and analyzed the Final EIR; circulated the Draft EIR that reflects independent judgment; and finds that the Draft and Final EIR reflect MTC's independent judgment.

Appendix B:

Statement of Overriding Considerations

Appendix B: Statement of Overriding Considerations

CEQA requires the Metropolitan Transportation Commission (MTC) to balance the benefits of the Transportation 2030 Plan against its significant unavoidable environmental effects in determining whether to approve the project. Since the EIR identifies significant impacts of the Transportation 2030 Plan that cannot feasibly be mitigated to below a level of significance, MTC must state in writing its specific reasons for approving the project in a "statement of overriding considerations" pursuant to sections 15043 and 15093 of the CEQA Guidelines. This Statement of Overriding Considerations sets forth the specific reasons supporting MTC's action in approving the Transportation 2030 Plan, based on this EIR and other information in the record of proceedings.

In making the statement of overriding considerations, "CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable'." (CEQA Guidelines, Section 15093(a)) This statement focuses on the larger, more general reasons for approving the project.

MTC has examined a reasonable range of alternatives to the Transportation 2030 Plan. This analysis is fully documented in the EIR on the Transportation 2030 Plan. Based on this examination, MTC has determined that (1) there are numerous tradeoffs in impacts associated with the various alternatives, (2) the alternatives would result in varying degrees of achieving the Transportation 2030 Plan goals, (3) the Transportation 2030 Plan is environmentally preferred in the transportation issue area, (4) the No Project alternative is the environmentally superior alternative, and (5) because the No Project cannot be selected, the TRANSDEF Smart Growth alternative becomes the environmentally superior alternative if all impact areas are given equal weight; however, there are significant reservations about the feasibility of this alternative and therefore its ability to meet the project objectives.

CEQA does not require lead agencies to analyze "beneficial impacts" in an EIR. Rather, EIRs focus on potential "significant effects on the environment" defined to be "adverse." (Pub. Resources Code, § 21068.) Nevertheless, decision makers may be aided by information about project benefits. These benefits can be cited, if necessary, in a statement of overriding considerations (CEQA Guidelines, § 15093).

In addition to transportation benefits, other legal, social, and feasibility issues were factored into the decision process. Also, as discussed in the EIR, policy makers factored in the relative importance of the various environmental issue areas in making their final decision.

TRANSPORTATION 2030 PLAN GOALS AND OBJECTIVES

The goals and objectives for the Transportation 2030 Plan were developed in direct response to public comment. At the June 2003 Transportation Summit, the goals for the 2001 Regional Transportation Plan were criticized as being too broad to provide meaningful direction for a long-range regional transportation plan. In addition, there was an overwhelming call for more measurable objectives in the plan that would allow MTC to chart progress towards the goals. In September 2003, MTC and its public agency partners proposed nine more specific goals for the Transportation 2030 Plan. These goals and objectives were tested with the public through numerous workshops and focus groups. In December 2003, the Commission adopted a final set of goals for the Transportation 2030 Plan.

The Transportation 2030 Plan is intended to guide future transportation improvements for the Bay Area in the context of six policy goals set by the Commission:

- A safe and well maintained system
- A reliable commute
- Access to mobility
- Livable communities
- Clean air
- Efficient freight travel

The objectives for each of these goals are identified in the Transportation 2030 Plan. In addition, the MTC approved a five-point transportation/land use policy platform to further coordinate transportation and land use planning within the Bay Area and with neighboring regions.

The components of the Transportation 2030 Plan are designed to fully achieve the project objectives. The Plan includes a financially constrained subset of projects (Financially Constrained Element) in full compliance with federal planning regulations, that is, it identifies projects that can be delivered with revenues that are deemed to be reasonably available over the planning period. In addition, as permitted by federal, state and MTC statutes, the Plan also includes illustrative transportation projects that would have benefits if additional revenues were secured in the future (Vision Element). Projects within the Vision Element would be funded by specific revenue sources identified in the Plan that would have a reasonable chance of being approved over the next 25 years (including new or reauthorized county transportation sales taxes, higher gas taxes, higher vehicle registration fees, a High Speed Rail Bond, revenues from a system of High-Occupancy Toll (HOT) lanes, and so forth). With this set of projects, the Plan meets the project objectives better than any of the other alternatives.

ENVIRONMENTAL IMPACT ANALYSIS AND PROJECT BENEFITS

This EIR examined the environmental impacts of the Transportation 2030 Plan in the areas of Transportation, Air Quality, Energy, Geology and Seismicity, Biological Resources, Water

Resources, Visual Resources, Noise, Cultural Resources, Land Use, Housing, and Social Environment, and Growth Inducement. MTC has identified significant environmental impacts that cannot be mitigated as shown in Draft EIR Table S-1.

These potentially significant unavoidable impacts include:

- Conversion of important farmland, although the exact quantity cannot be determined until individual transportation project plans are defined;
- Disruption or displacement of existing land uses, neighborhoods, and communities;
- Cumulative land use change effects;
- Potential cumulative air quality impacts for small particulate matter
- Consumption of energy;
- Increased cumulative noise levels;
- Potential damage of transportation infrastructure from seismic events;
- Potential impacts on special-status plant and/or wildlife species and cumulative fragmentation of wildlife habitat; and
- Obstruction of views or change in visual character, from new transportation facilities or sound walls.

As described in the Findings (Appendix A of the Final EIR), many of these impacts will be substantially reduced through implementation of mitigation measures identified in the EIR. In other cases, the EIR states that impacts may be reduced to levels that are not significant, but the impact is still classified as "significant" because the effectiveness of mitigation cannot be determined at this time due to the preliminary nature of the individual project designs.

This EIR also examined five alternatives, including different mixes of transportation projects, land use assumptions, and transportation pricing assumptions:

- No Project Alternative (CEQA mandated alternative)
- Financially Constrained Transportation 2030 Plan Alternative
- Financially Constrained Transportation 2030 Plan Plus Sales Tax Alternative
- Financially Constrained Transportation 2030 Plan Plus High-Occupancy Toll (HOT) Network Alternative
- TRANSDEF Smart Growth Alternative

While the TRANSDEF Smart Growth Alternative was found to have the least environmental impact (other than the No Project alternative), it and all of the other alternatives have significant impacts in one or more issue areas that cannot be mitigated. The EIR finding of the environmentally superior alternative was based on equal weighting of each environmental issue area. A comparison of the Transportation 2030 Plan and the alternatives reveals the following offsetting environmental factors of the Transportation 2030 Plan:

- The Transportation 2030 Plan is environmentally superior in the transportation issue area. It provides the most benefits to transportation. The No Project Alternative, which results in the least amount of overall adverse environmental impacts, performs the worst in the transportation issue area. The second environmentally preferred alternative, TRANSDEF Smart Growth alternative, is less favorable than the Transportation 2030 Plan with regard to transportation impacts.
- All alternatives demonstrate reduced air quality impacts for ROG, NOx, and CO compared to existing conditions and the No Project alternative due to stringent emission controls on automobile engines. The Transportation 2030 Plan performs better than all alternatives in reducing the rate of increase in small particulate matter, except for the TRANSDEF Smart Growth alternative, which assumes untested strategies to re-orient future development to provide intensified growth in certain areas and implement new pricing measures for vehicle and transit users.
- The Plan is environmentally superior to all other alternatives in regards to seismic safety risks. The Plan would actually improve seismic safety relative to the other alternatives.
- All alternatives would consume energy; the Transportation 2030 Plan is highest in energy consumption due to short-term energy needed to construct new facilities and energy needed to support substantially higher transit vehicle use, relative to other alternatives. This energy use is necessary to establish and implement the transportation network that will achieve the best transportation performance.
- The Transportation 2030 Plan includes a number of projects that have been developed through a variety of public processes and actions to approve funding. The TRANSDEF Smart Growth alternative would result in less severe impacts on biological resources, water quality, visual resources, cultural resources, and farmland primarily due to the exclusion of a significant number of new transportation construction projects that have public support and funding approval. Excluding these projects would require voter approval or rejection of prior voter mandates. This is an issue that undermines the feasibility of the TRANSDEF Smart Growth alternative.
- The potential conversion of farmland and disturbances to biological resources and land uses are conservative estimates. The EIR land use and biological resources analysis took a "worst case" approach (Draft EIR, page 2.3-27 and 2.8-13), meaning that it assumed that resource land would be converted to transportation uses and that land uses within a substantial swath along proposed transportation projects may be impacted. In doing so, the severity of the potential impacts may be overstated or "inflated." As stated on page 2.8-13, regarding biological impacts, " ...while such impacts may be identified in this EIR, upon project implementation it is anticipated that actual impacts will be incrementally smaller. Laws and regulations protecting special-status species, areas of ecological significance, and wetland resources are effective incentives for project proponents to design alternatives that either avoid or substantially reduce impacts on these resources." Due to the programmatic level of analysis in the EIR and lack of project-specific plans, it is not possible to define the exact extent of potential impact, so it is not possible to ascertain with certainty whether the identified mitigation measures for these impacts will

reduce impacts to levels considered "not significant." However, it is likely that, with proper design and planning, many of the identified impacts can be avoided or minimized.

- Numerous impacts of the Transportation 2030 Plan would be short-term effects related to construction of new transportation facilities. These impacts, for the most part, can be mitigated to levels that are not significant. The differences in impacts, once mitigated, between the Transportation 2030 Plan and alternatives are not substantial.

Specifically, the Transportation 2030 Plan would provide the following transportation advantages over the other alternatives, as discussed in the EIR:

- The Transportation 2030 Plan would result in shorter average travel times per trip for all trips (work, non-work, and truck trips) except for non-work trips under the Financially Constrained Plus Sales Tax alternative and truck trips under the TRANSDEF Smart Growth alternative.
- The Transportation 2030 Plan generally increases accessibility to jobs by auto and transit due to the extensive level of transportation improvements. All alternatives perform less well compared to the Plan except for the TRANSDEF Smart Growth alternative due to the approach taken by TRANSDEF to redistribute regional growth and further intensify new development beyond Projections 2003, ABAG's adopted growth projections. This is an issue that undermines the feasibility of the TRANSDEF Smart Growth alternative.
- The Transportation 2030 Plan would result in the least daily vehicle hours of delay of all the alternatives (other alternatives produce 8 percent to 49 percent more delay).
- The Transportation 2030 Plan would result in the least number of daily vehicle trips except for the TRANSDEF Smart Growth alternative. This is because the TRANSDEF alternative redistributed regional growth, included strategies that increase the cost of auto use relative to transit, and focused on funding transit expansion projects over further roadway expansion, thus reducing vehicle trips.
- The Transportation 2030 Plan would result in the least amount of congestion, measured in Vehicle Miles of Travel (VMT) at Level of Service (LOS) F, when combining all roadway facilities types (other alternatives generate 12 percent to 24 percent more total VMT at LOS F).

FEASIBILITY OF TRANSDEF SMART GROWTH ALTERNATIVE

MTC and other agencies have identified specific concerns with the overall feasibility of the TRANSDEF Smart Growth alternative. As described on page 3.1-4 of the Draft EIR, analysis of the TRANSDEF Smart Growth alternative was included in the EIR as part of a settlement agreement between MTC, TRANSDEF, and Communities for a Better Environment and the Bay Area Air Quality Management District in March 2004. Appendix D.1 of the Draft EIR explains the assumptions of the TRANSDEF Smart Growth Alternative, and notes that local governments have not reviewed the land use assumptions, which differ from ABAG's adopted land use assumptions in Projections 2003. Draft EIR Appendix D.2 includes a detailed comparison of the differences between Projections 2003 and the TRANSDEF Smart Growth Alternative land use assumptions.

Specific feasibility issues addressed in the Draft EIR relate to land use authority, elimination of projects from the Plan that already have full funding via voter approved revenues and other sources, and the implementation of untested pricing strategies (pages 3.1-37 and 38). Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, and jurisdictional boundaries. Specific feasibility issues are discussed below.

1. The Transportation 2030 Plan is preferred to the TRANSDEF Smart Growth alternative because the performance of the TRANSDEF Smart Growth alternative is predicated on land use assumptions that can not be realized without substantial governmental intervention, through regulation or new incentives to create public funding for housing and infrastructure improvements and increased levels of public services and facilities which would be needed by the proposed intensification of residential development in the urban core. The superior performance of the TRANSDEF Smart Growth Alternative in reducing vehicle trips and in providing improved accessibility to jobs is likely due in part to the assumed redistribution of regional growth. Unresolved conflicts with local General Plans, community character and local economic development objectives also would affect implementation of the land use assumptions. Comments from the county Congestion Management Agencies (CMAs) and other public agencies confirm this concern regarding the feasibility of the TRANSDEF land use assumptions. To the extent that both ABAG's Projections 2003 and TRANSDEF's land use scenario assume some changes to local general plans through incentives or other approaches, the TRANSDEF alternative land use assumptions clearly involve more dramatic changes for some areas as shown in Appendix D.2 of the Draft EIR. For example, by assuming a dramatically larger population in the urban core of San Francisco (substantially beyond the City's Housing Element projections), some regional transportation impacts were minimized. Table 3.1-14 in the Draft EIR summarizes the differences in land use assumptions.

2. A significant number of approved and funded transportation projects are excluded from the TRANSDEF Smart Growth alternative so funding can be shifted to other projects (largely from road to transit projects); however, some of these funding re-allocations would require voter approval or rejection of prior voter mandates. Comments on the Draft EIR from the CMAs and other public agencies confirm this problem.

3. The exclusion of these projects and programs would be in conflict with countywide transportation plans as noted by the CMAs. Specifically, the state regional transportation plan guidelines state that the RTP should "identify and incorporate other State and local transportation plans and programs." Moreover, this alternative assumes that regional funding commitments to specific projects established through years of planning and public involvement can be overturned and that the public will accept a new set of transportation priorities. A number of these proposals would need to be implemented jurisdiction by jurisdiction and could require voter-approval.

4. The viability of various proposed new revenue sources is not known. The ability to implement the transit service improvements in the TRANSDEF alternative depends on freeing up funds that would be used to construct new transportation improvements, and instead using some of

these funds to pay for the daily operation of an expanded transit system. This approach would require legal review to determine the feasibility of using various funding sources for purposes not specifically spelled out in the legislation or voter approval of these funding sources. Thus, operating the transit services proposed by TRANSDEF could be constrained by this approach.

5. The ability to implement certain transportation pricing strategies assumed in the TRANSDEF Smart Growth alternative that would affect future auto and transit in the region hinges on several untested approaches to using MTC's authority, creating new incentives that may or may not be effective, and perhaps requiring new legislation. Indeed, some pricing strategies such as parking cash-out are expressly limited in application by state law.

BALANCING OF TRANSPORTATION BENEFITS

MTC's decision to adopt the Transportation 2030 Plan rather than any of the alternatives is based on the above factors and on balancing the benefits related to transportation needs and policy goals for the Bay Area and the environmental effects, both of the project itself and of the various alternatives considered.

1. The transportation investments in the Transportation 2030 Plan best meet the policy goals and objectives established by MTC for a long-range regional transportation plan, as listed above. Specifically, as demonstrated in the EIR, the Transportation 2030 Plan performs best overall of all alternatives in the transportation issue area, considering all of the various impact measures used in the transportation analysis. Therefore, selecting an alternative that is not the best performing alternative overall for transportation would provide less regional transportation benefit and would not achieve objectives as well as the Transportation 2030 Plan.

2. The mobility and access improvements in the Transportation 2030 Plan, coupled with the Transportation/Land Use Policy Platform, will contribute to maintaining a healthy regional economy and improving the quality of life through the diversity of projects and programs contained in the Plan.

3. The Transportation 2030 Plan is consistent with adopted county transportation plans and priorities, as well as voter approved local sales tax expenditure plans and bridge toll programs. These plans and priorities, in turn, reflect the input and concerns of county congestion management agencies, transit operators, local governments, and members of the public.

4. The transportation improvements, goals, and strategies proposed in the Transportation 2030 Plan were derived from an extensive regional public outreach effort lead by MTC, and they reflect broad public support, as documented in the Transportation 2030 Plan and supplemental public outreach reports.

5. MTC has determined, through extensive public outreach that the public is interested in more than a financially constrained Plan, and the new content of the Transportation 2030 Plan with its vision element is intended to respond to this public interest. Furthermore, four county transportation sales tax measures and two transit parcel tax measures that were proposed in

the Vision Element of the Draft Transportation 2030 Plan were subsequently approved by the voters in November 2004, thus demonstrating the public's support for carrying out the Vision Element.

6. The Transportation 2030 Plan would improve mobility in 2030 as compared with the No Project alternative:

   - The average travel time per trip would be reduced by 2 percent for work trips, 1 percent for non-work trips, and 1 percent for truck trips.
   - The accessibility of households to job opportunities within 15, 30, and 45 minutes by auto and by transit would be improved, ranging from 1 percent to 4 percent for autos and 13 percent to 20 percent for transit users.
   - The number of daily vehicle trips would be reduced in all nine counties.
   - The amount of VMT at LOS F would be reduced by 20 percent for freeways, expressways and arterial facilities.

7. The Transportation 2030 Plan would not interfere with the attainment and maintenance of federal and state air quality standards, as follows:

   - Reactive organic gases, nitrogen oxides, and carbon monoxide would decrease substantially compared to today's emissions (ranging from 82 percent to 87 percent less) due largely to the continued long term effects of California's stringent automobile engine emission controls. The Transportation 2030 Plan would reduce emissions of all types of pollutants in 2030 by 1.6 percent to 2.4 percent compared to the No Project conditions.
   - Compared to existing conditions, particulate matter would increase by 34.8 percent for PM10 and by 25.1 percent for PM2.5. This is due to the projected cumulative regional growth in vehicle miles of travel; however the Transportation 2030 Plan would decrease emissions of particulate matter by 1.3 percent for PM10 and by 1.8 percent for PM2.5 compared to the No Project conditions.

8. The Transportation 2030 Plan would support mobility between the Bay Area and neighboring regions by improving highway and transit through key interregional gateways, and thus contribute to the economic well being and quality of life for these areas as well as the Bay Area.

OVERRIDING CONSIDERATIONS CONCLUSIONS

For the foregoing reasons, MTC finds that the Transportation 2030 Plan's benefits would outweigh, and therefore override, any adverse environmental impact that could potentially remain after recommended mitigation measures are implemented. Impacts of the Transportation 2030 Plan would be similar to the other alternatives and would be mitigated to the maximum extent feasible. The benefits of improved transportation systems and a feasible set of transportation improvements and funding strategies would offset the residual adverse impacts. Since the overall objectives of the project relate to improving transportation, the MTC believes that it is prudent to select a feasible alternative that performs the best in the issue area of

transportation. In making this determination, MTC incorporates by reference the Findings of Fact set forth above, as well as all of the supporting evidence cited therein and in the administrative record.

Appendix C:

Mitigation Monitoring Program

Appendix C: Mitigation Monitoring Program

This Mitigation Monitoring Program has been prepared for the EIR for the Transportation 2030 Plan in accordance with the State's mitigation monitoring statute, Public Resource Code Section 21081.6, and sections 15091 (d) and 15097 of the California Environmental Quality Act (CEQA). These provisions require public agencies to establish mitigation monitoring or reporting programs for projects where they have identified significant impacts and measures are carried out. The public agency must adopt the monitoring and reporting program when approving a project. The intent of these provisions is to ensure that mitigation measures are fully implemented.

PURPOSE OF MITIGATION MONITORING PROGRAM

To ensure that mitigation measures established for significant environmental impacts identified through the CEQA process are carried through, the Public Resources Code was amended in 1988 (codified as Section 21081.6) to require a reporting or monitoring program "designed to ensure compliance during project implementation." Every time a Lead Agency—such as the MTC—approves a mitigated negative declaration or an EIR that identifies significant impacts and measures to mitigate them, it must also prepare a mitigation-monitoring program. CEQA Guidelines Section 15097 was added in 1999 to further clarify agency requirements for mitigation monitoring or reporting.

The Transportation 2030 Plan EIR identified significant environmental impacts and measures that would mitigate those impacts. This document outlines a program for the implementation and monitoring of those mitigation measures. The purpose of this program is to document that the mitigation measures will be implemented and that environmental impacts are reduced to the level identified in the Plan EIR.

Because the Transportation 2030 Plan contains projects that would be developed by agencies other than MTC and located within numerous jurisdictions within the region, MTC finds that the implementation of some mitigation measures listed in Appendix A of this document are not within its jurisdiction. These measures can and should be implemented and monitored by agencies responsible for implementing the individual projects contained in the Transportation 2030 Plan. These agencies include both project sponsors—local jurisdictions, transit agencies, county congestion management agencies, county transportation authorities, and Caltrans—as well as agencies responsible for the conservation of natural resources. These latter agencies include the Bay Area Air Quality Management District, the Bay Conservation and Development Commission, the Regional Water Quality Control Board, the U.S. and California Environmental Protection Agencies, the Department of Fish and Game, and the U.S. Army Corps of Engineers. Ultimately, the MTC will ensure compliance with the identified mitigation measures by requiring individual projects to undergo CEQA and NEPA (if applicable) review.

This Mitigation Monitoring Program includes a discussion of agency roles and responsibilities for mitigation measure implementation and monitoring, general monitoring procedures,

and timing of mitigation measure implementation. To ensure preliminary compliance with CEQA, this document summarizes the actions to be taken to implement the mitigation measures prescribed for the Plan EIR. These measures are to be implemented to reduce adverse environmental impacts of individual projects on the resource areas of Air Quality, Land Use, Energy, Noise, Geology, Water Resources, Biological Resources, Visual Resources, and Cultural Resources.

PROJECT-LEVEL REVIEW

Many of the projects proposed in the Transportation 2030 Plan have not yet completed CEQA review because they have not yet been programmed or sufficiently defined to have a meaningful CEQA review. Therefore, the analysis contained in the EIR on the Transportation 2030 Plan is at a "program level" which describes the general range of impacts and mitigation measures.

MTC shall require project sponsors to comply with CEQA and NEPA, if applicable, prior to project approval by MTC as noted in mitigation measures listed in Appendix A. The project sponsors are thus responsible for conducting project-level environmental review for Transportation 2030 Plan projects they carry out. Specifically, project sponsors are responsible for the following:

- Conducting project-level CEQA (and NEPA if applicable) analysis where a transportation project would be likely to have a significant impact on the environment;

- Responding to written comments on impacts and mitigation measures from resource agencies and interested groups/individuals;

- Adopting a mitigation monitoring and reporting program for those transportation projects with significant impacts; and

- Forwarding to MTC the recommendations on the EIR or mitigated negative declaration and the mitigation monitoring and reporting program for those CEQA and NEPA documents.

AGENCY ROLES

MTC, project sponsors, and resource agencies have specific roles in implementing, monitoring and reporting on the mitigation measures identified in the EIR for the Transportation 2030 Plan. One of the basic premises of the Mitigation Monitoring Program is that agencies responsible for carrying out individual projects identified in the Transportation 2030 Plan are also responsible for mitigating their impacts. As project sponsors, these agencies are responsible for complying with CEQA and/or NEPA prior to project approval.

MTC

Although MTC is the lead agency for developing and implementing the Transportation 2030 Plan, MTC may not be the lead agency or project sponsor for individual projects identified in

the Plan. Most mitigation measures listed in the Plan EIR are project-level, rather than program-level measures, and must be implemented through the course of specific project design, permitting, and construction. Therefore, the MTC's main role will be as a responsible agency to oversee future project-level CEQA analyses to ensure incorporation of measures identified in the Plan EIR. As the lead agency responsible for the implementation of the Transportation 2030 Plan, MTC's role includes:

- Requiring sponsors of the transportation projects to comply with CEQA and NEPA, if applicable, prior to project approval by MTC.

- Reviewing proposed projects to consider project changes and incorporation of best practices that would reduce environmental impacts;

- As part of comments on EIRs and other CEQA/NEPA documents, recommend as appropriate, that project sponsors and lead agencies incorporate mitigation measures identified in this EIR and other site-specific measures that are developed during the course of individual project environmental analysis.

- Ensuring that individual project sponsors comply with mitigation measures by requiring sponsors to propose an adequate monitoring and reporting program that involves a method of follow-up to ensure continued compliance throughout construction.

- Regularly reviewing and updating the Transportation Plan at least every three years and the Transportation Improvement Program (TIP) every two years. These updates require a transportation air quality conformity finding pursuant to the Federal Clean Air Act.

- Working with regional agencies and other bodies to implement other actions that would minimize the environmental impacts of the Transportation 2030 Plan.

PROJECT SPONSORS

The role of sponsors of the transportation projects is related to their compliance with CEQA and NEPA, if applicable, as discussed above. The entities herein referred to as "Project Sponsors" are the agencies responsible for environmental clearance, design, right-of-way procurement and construction of the project. Project sponsors shall commit to the mitigation measures set forth in this EIR or equivalent project-specific measures identified during individual project environmental analyses. The project sponsor's role in the implementation of the Plan EIR's mitigation measures include:

- Conducting CEQA analysis where a project may cause a significant impact on the environment;

- Ensuring that potential impacts outlined in this EIR are adequately addressed and mitigated;

- Responding to written comments on impacts and mitigation measures from the MTC and others;

- Adopting and enforcing a mitigation monitoring and reporting program for those projects with significant impacts and forwarding this program to the MTC for review.

RESOURCE AGENCIES

Agencies charged with the protection and conservation of natural resources would be involved through comments on project CEQA and NEPA compliance and permit issuance.

TIMING

Most of the mitigation measures related to specific site design and construction practices and will therefore be required at the time individual projects are in the design phase. Project sponsors will be required to prepare project-specific mitigation monitoring programs, which may necessitate onsite environmental monitors during construction activities. Project sponsors or their agents will be responsible for successfully implementing and enforcing the mitigation measures.

One of the key components of a monitoring program is to determine whether or not mitigation measures are effective in reducing impacts to levels that are not significant. The environmental analysis in the Transportation 2030 Plan EIR contains detailed significance criteria that establish a minimum threshold for successful mitigation. Standards for successful mitigation also are implicit in many mitigation measures that include such requirements as avoiding a specific impact entirely. Project sponsors will be required to compare residual impacts (after mitigation measures are implemented) to the Transportation 2030 Plan EIR (or subsequent site-specific project EIR) significance criteria to determine mitigation measure effectiveness. The MTC may conduct a comprehensive review of measures that are not effectively mitigating impacts at any time it deems appropriate.

Appendix D:

MTC Resolution 3680 Certifying the EIR on the Transportation 2030 Plan

Date: February 23, 2005
W.I.: 1411
Referred by: POC

ABSTRACT

Resolution No. 3680

This resolution certifies the Environmental Impact Report for the Transportation 2030 Plan.

Date: February 23, 2005
W.I.: 1411
Referred by: POC

Re: Review and Certification of the Environmental Impact Report for the Transportation 2030 Plan

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3680

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Sections 66500 et seq.; and

WHEREAS, MTC staff and its consultants have prepared a program Environmental Impact Report (EIR) for the Transportation 2030 Plan, pursuant to provisions of the California Environmental Quality Act (CEQA); and

WHEREAS, on November 12, 2004 MTC released for public review and comment the Draft EIR for the Transportation 2030 Plan to all interested parties, and, following a 56-day public review period ending January 7, 2005 responded to all comments received and incorporated comments as appropriate into the final EIR; and

WHEREAS, MTC staff and its consultants have prepared findings, facts in support of findings, statement of overriding considerations, and mitigation monitoring program and incorporated them into the final EIR; and

WHEREAS, MTC staff has provided a written response to each public agency that commented on the Draft EIR ten days before certification of the final EIR; and

WHEREAS, MTC has reviewed and considered the information contained in the Draft and Final EIR, including findings/facts in support of findings, statement of overriding considerations, and mitigation monitoring program, prior to approval of the Transportation 2030 Plan; now, therefore, be it

RESOLVED, that MTC has reviewed the Draft and Final Environmental Impact Report for the Transportation 2030 Plan, included herein as Attachment A and made a part hereof by reference, and certifies that it has been completed in compliance with CEQA.

METROPOLITAN TRANSPORTATION COMMISSION

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Steve Kinsey, Chair

The above resolution was entered into by the
Metropolitan Transportation Commission
at a regular meeting of the Commission held in
Oakland, California, on February 23, 2005.

Date: February 23, 2005
W.I.: 1411
Referred by: POC

Attachment A
Resolution No. 3680

Environmental Impact Report for the Transportation 2030 Plan

The Draft and Final Environmental Impact Report for the Transportation 2030 Plan documents are on file in the offices of the Metropolitan Transportation Commission, MetroCenter, 101 Eighth Street, Oakland, California 94607.